

attack him. No-one disliked him. And so we walked away from school thinking about finding some lovely girls at Kyneton! Yes, there were some lovely girls there, though I had a girl at Woodend. But whenever a group of boys is on the prowl, nothing ever happens.

We would have been pleased to see Veal marry Miss Edna Pool, the wonderful music teacher. Her task was not an easy one in an environment where many students did not care for classical music. It was not surprising for me to note the rapid decline of music teaching in Victoria's schools. Twenty years later the scene was somewhat better – but the reluctance or general inertia is just as marked.

At Edenhope, where I completed my matriculation, it was a different matter as regards discipline. By this time the education system is entirely voluntary – anyone who does not wish to learn may exit the system. Many students who make it to Year 11 – and this is a worldwide phenomenon – cannot bring along the discipline to complete the final school year. So, what had to be done? The final school year was adapted to such students – it was a democratic right of all students to achieve success at school. The dumbing down of the Western nations had begun. I look back on my education and thank those who dared fail me. No work and thought = no results. But that kind of philosophy is still considered to be oppressive and discriminatory – even racist and anti-Semitic. And here we are again at what is moving my mind at this present time. The thought that brought me to Mannheim Prison, the reflection on what transgression I have allegedly perpetrated, and whether actual physical imprisonment is a disciplinary measure befitting my alleged crime. What is my crime? Thinking and talking about those terrible allegations levelled against Germans: That they systematically, industrially, exterminated European Jewry in homicidal gas chambers.

* * *

Wednesday, 8 September 1999

Hofgang – Hubertus not well.

Kraftsport OK.

No Social Training Group from 2 p.m.

Umschluß OK.

8.30 p.m.: Germany vs Northern Ireland – the latter wins the game.

Thursday, 9 September 1999

9.9.99 = 'Schnappsdatum'. The media is full of hype about this date. Couples have been coupling themselves since 0.01 a.m. – I wish them luck.

I become extremely homesick because German and Swiss television screened live – from around 9 a.m. – the spectacular scaling of the north

side of Switzerland's Mount Eiger (3970 m). I am reminded of my own climbing around Wimmera's Mount Arapiles area with my son and his two cousins and nephew. Now I lie on my simple prison bed and watch and dream. For a while I share this with loved ones back home. It moves me to see these four experienced climbers meet the challenge: Evelyn Binsack (32), Ralf Dujmovits (37), Hansrudi Gertsch (33) and Stephan Siegrist (27). Each carries a 5 kg media pack which permits us to see and hear what they are up to at all times. A special helmet fitted with a camera and microphone makes it possible. I recall how Heather Phillips taught me the basic 3-1 steps of climbing: one roaming grip and three firm. Natimuk, just a few kilometres from Mount Arapiles, has Jon and Brigitte Muir residing there – both are world-class climbers.

Friday, 10 September 1999

Continued watching the climb as I cleaned my room – the climbers slept on a small ridge – and continued their climb before sunrise. Hubertus also cleaning room – we share a coffee.

The dawning of the day – a beautiful sunrise. How do I know? The east side of our wing has huge windows through which I can see the rising sun – but only when out of the room. The sky is already filled with half-a-dozen jet streams. It is so clear – reminds me of Africa, nay, of home on the farm. No wonder I was not too ambitious in life.

Another happy day – Andreas Röhler visited – and we talk about all sorts of things. The whole matter should not be in court because it offends against the Grundgesetz (Basic Law) to treat this historical topic in court. Just before Andreas departs he is again permitted to spend DM18 on fruit and chocolates. The latter I hand to my Umschluß mates in Hubertus' cell, 1334 (my former one). After the visit, I return to my cell and watch the final moments of that historic moment when, at 3.30 p.m. the climbers reach their goal. There will not be a telecast of their climb down. They insisted that they not be picked up at the top – the return is the completion of the task.

Frankfurter Rundschau item:

An interview with state security chief, Peter Frisch, who claims that a democracy must cope with right-wing extremism, as allegedly embodied by the DVU and skinheads.

Saturday, 11 September 1999

My legs and feet swelling still there – why? Is there something in the sauce or gravy at lunchtime that does not agree with me. This is the second time that it has happened.

Hofgang helped reduce the swelling a little – no wonder sitting around is death for me. Either walk or lie down. Except when I attend the opera.

Frankfurter Rundschau items:

Mario Vagas Lolsa writes about Dr Jack Kervorkian ('Dr Death') receiving a 10 to 25-year prison sentence in the USA state of Michigan. He has now gone on a hunger strike, and on the same day on which this was announced, the state announces that force-feeding of hunger strikers is prohibited. They are to be informed in writing of the consequences of their actions. Kervorkian's lawyers cannot follow this logic because it is exactly that which applies in the argument that had him convicted, namely, the state is now permitting a person to suicide. It is assisting Kervorkian in his death-wish. The whole episode has further brought the taboo topic of euthanasia into the open – and that is a good thing. It is a pity that fear of death permeates our entire society and sick people who wish to suicide ought to be given an ear. In Holland the freedom of choice card is played out without inhibition.

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There is also a full-page article by Daniela Dahn, a writer from Berlin, who focuses on the problem faced by democracies that call themselves 'open societies' but exercise censorship. She is critical of the current democratic economic system. It reminds me of Dr W. De Maria's criticism of the democratic system as such: the only freedom we have is to go shopping! Dahn says that if the Grundgesetz is used to retain the status quo, then it is legitimate to challenge those who misuse the Constitution. It is done to intimidate those who think beyond a certain point. The concept of Verfassungsfeind (constitutional enemy) is nothing but an ideological Disziplinierungskeule, a means of disciplining individuals. It aims to shroud the question about power so that it is not asked. Again, what's new?

Sunday, 12 September 1999

A day of rest.

Hofgang.

Lunch.

Umschluß.

Good night.

Monday, 13 September 1999

An uneventful day until a visit from Bock after lunch – 11.30 a.m.
Information from home – good comfort.

This evening Australian literary great, Les Murray, appears in the Literaturehaus in Frankfurt at 8 p.m. A Frankfurt cinema, Orfeos Erben, features New Zealand films from 16 to 22 September. Why can I not attend? Will have to ask the court for special treatment!

On this day Professor Arthur Butz writes to *The Sydney Morning Herald* (Appendix 30). Ryba's article, which had stimulated Butz to establish telephone contact with him, was published by *The Sydney Morning Herald* on 5 May 1999 (Appendix 30). On 11 September Butz sent Ryba a copy of his Pohl trial testimony as Jerzy Bielski and on 12 September he wrote to tell him that he had sent a copy to Faurisson (Appendix 30).

Tuesday, 14 September 1999

Off to the prison hospital about my legs – will receive extra ration which contains fruit. Watched the Bubis memorial live coverage on the television. It amazed me to hear pure Volksverhetzung (incitement to hatred against a people) coming from a number of people. Martin Walser is referred to as 'Der Mann vom Bodensee'. The contempt expressed so openly amazed me. There is something wrong somewhere.

5–7 p.m.: Umschluß – Klaus I preparing himself for tomorrow's court case.

Bible Group lively – value of money and sex!

Wednesday, 15 September 1999

Good news about the Verfassungsgericht permitting witnesses from overseas to appear in a German court via video. This makes me think and revise my attitude towards fighting the case. I can bring in people who would never travel to Germany for the fear of being arrested. The court's comment is interesting: 'ist Zulässig zur Wahrheitserforschung' (it is permitted to find the truth).

TV's *Kennzeichen D* discusses the right-wing scene and its perceived threat to Germany's political stability.

Thursday, 16 September 1999

Hubertus's birthday – 51 today. He never thought he would be celebrating this day in prison. As recently as April this year he attended his 26-year-old daughter's wedding.

Shopping in afternoon – the usual things for me but little fresh fruit and vegetables available.

Friday, 17 September 1999

ZDF-TV's *Aspekte* program features Spielberg's Shoah Project which Professor Yehuda Bauer rejects because it claims too much – thinks it is kitsch.

Saturday, 18 September 1999

Munich's Oktoberfest begins today – how nice to be there. Why can I not go? I am here for Hofgang, lunch, Umschluß, supper then lock-up until 8 a.m. – it is church tomorrow morning.

Sunday, 19 September 1999

Final day of Bundesschutzenfest at Mayen is televised on BW-TV. What a turn-out of these shooting clubs that have existed for over 100 years. It was stressed that many clubs hid under the church mantle during the Nazi era – hence, they were never disbanded, and can now look back over a tradition that is unbroken by that ‘shameful 12-year period’.

Monday, 20 September 1999

Linen and laundry service day – take sheets off bed and clothes into the bag, then out by 6 a.m. It will be back before lunch – all fresh from the prison laundry. Some remand prisoners refuse to wear the clothes provided because they will have to when they transfer into one of the three other wings that houses the convicted prisoners.

Kraftsport OK.

Lunch OK – then rest. Tom calls through door, just back from first day on kidney dialysis. About 60 people at the hospital – some on the machine for 20 years. He is hopeful that his father will give him one of his kidneys.

Item from New York: A 48-year-old American can expect 10 years prison for distributing forged documents about murdered President Kennedy. He earned about DM9 400 000. Cusack’s material was considered to be so authentic that someone almost wrote a book about it. The material dealt with Robert Kennedy’s alleged drug addiction and Marilyn Monroe’s association with Kennedy.

In Disney’s Florida Funpark a controversy has arisen over the way the ‘Journey to Jerusalem’ is portrayed as the capital of Israel – thereby neglecting the claim made on this city by the Palestinians. Head of Disney, Michael Eisner, has now withdrawn the program and Israel is not connected with Jerusalem.

The expose of *Der Spiegel* over the millions of Deutschemark out of the German pension fund not reaching its recipients in Israel – but rather deposited in private bank accounts of Israeli businessmen. Lawyer Israel Perr, Tel Aviv, is accused of abusing the German-Israel Pension Agreement of 1980.

On ARD-TV’s *Beckmann*, German actor Götz George and his daughter Tanya, who lives in Australia, talk about his new film about Auschwitz doctor, Mengele. He plays the part of Mengele – attempts to humanise this ‘grotesque’ person.

Tuesday, 21 September 1999

Bible Group interesting, again! On Matthew 19 – again active participation – the foundation of the Christian Church.

An unusual item in the *Frankfurter Rundschau* :

Court orders a former concentration camp doctor to undergo a psychiatric analysis. Who is it? None other than Hans Munch, the man who claims the Auschwitz gas chambers existed. Now a French court has proceeded against him for having *Verharmlosen* (diminished) the national socialist crimes. It also wants to know whether the man is suffering from Alzheimer's. The item does not make sense to me. This man supports the extermination thesis and yet he is charged in France almost like a so-called 'denier'. What is going on? Can anyone fill me in on this case?

Wednesday, 22 September 1999

I send off my application to the prison administration as a candidate in the forthcoming remand prison spokesperson election.

Social Training Group: just Klaus and I, and Frau Fallenberg. Herr Horr could not make it and so the coffee things remain locked in the cupboard. We cut our talk session short – 2-3 p.m. instead of 2-4 p.m. The group is rapidly dwindling as participants move from remand into one of the other three wings of the prison where the convicted prisoners reside. Still, there will be newcomers. I have already spoken to a couple of persons because I believe it is important for any person to have an opportunity to talk about their fears, dreams and plans: in this instance, for when they get out. This activity is run by the Mannheim 'Anlauf- und Beratungstelle des Bezirksverein für Soziale Pflege'. It assists prisoners upon release as well – with first external contact, housing and clothing etc. Some prisoners think that marrying someone will reduce their prison sentence because it is rumoured that the judiciary will bend over backwards to ensure that families remain intact.

5-8 p.m.: Umschluß with same group. Tired but still watch films on TV about Dr Josef Mengele (the Angel of Death at Auschwitz) with the usual commentary and another documentary about the Berlin Wall.

Thursday, 23 September 1999

Autumn – raining all night.

Room service in morning.

Drogensport with Hubertus and then typing up his story of complaint until lunch-time. Then an hour on guitar to relax until choir.

ARD-TV's *Panorama* – item about the right-wing scene.

11 p.m.: on ARD-TV is 'Gesucht wird ... Biedermanns Reich', a fascinating story of the International Tracing Service operated by the International Red Cross at Arolsen. Wilfried Huismann and Monika von Behr have exposed the bureaucratic bungling that is going on in this agency headed

by Charles Biedermann. He has been in charge of the organisation for 16 years. It costs Germany DM27 000 000 per year.

The allegations levelled against Biedermann's organisation – of letting applications for compensation (or just basic information about time spent in a concentration camp) rest for up to seven years – is rejected by the director. Yet this is proven to be a lie by the reporting team. They make contact with a 'disgruntled' former employee of the organisation, Anna Minke, who then gives them the name of a former slave labourer in Poland, Andrzej Baurzawa. He had been waiting for over five years for confirmation that he had spent time in Dachau Concentration Camp. It took a while to find the various letters that he sent to the organisation. The excuse was always that there was an Aktenstau (a file jam).

Rumour has it that this bureaucratic delay is intentional so as to minimise compensation payments – claimants will die. I see this argument as a ruse. We have always claimed that the truth about the death figures – about anything concerning the concentration camps and its attached extermination claim – lies at Arolsen. Indeed, it does.

With TV cameras following Baurzawa around the organisation, we see how his letters and then his personal belongings (what was left of them) were all found in the Dachau filing system. And this kind of information is available for all camps. It reminds me of this prison's Kammer where my personal effects are stored. My file will be here for a long time to come. All concentration camps operated as huge bureaucracies. I cannot accept the proposition that such bureaucracies turned into killing machines without an order.

We have always maintained that it is the ordinary concentration camp prisoners during the war who are suffering – and not receiving their entitlements. The classic example was that recent fraud concerning the German pension fund and some Israeli businessmen. They channelled the money into their own pockets instead of handing it over to the needy pensioners. But we have this problem in Australia as well – of former Auschwitz inmates not receiving their compensation entitlements in full, because the legal eagles devour it as part of the huge cost package. So, too, it will be with the current round of claims made by those organisations that want the money without handing over any names – the Swiss banks, for example. I wonder how the names list being typed up by Yad Vashem is progressing.

Veronika Rall, in the *Frankfurter Rundschau*, comments on *Nichts als die Wahrheit*, the film by Roland Suso Richter about Josef Mengele with Götz George in the lead role. She claims that today it is permitted, no, it is in vogue, to speak 'differently' about the Holocaust. Yet she still trots out the usual – Auschwitz is unique. Kai Wiesinger, who plays the role of defending Mengele in this courtroom drama, hopes the film will stimulate a discussion about Auschwitz. The author, Johannes W. Betz, saw his work as emancipating himself from the 'collective guilt'.

Friday, 24 September 1999

Hofgang with Hubertus and Klaus II – the former is not feeling well about the way things are going. After lunch I prepare myself for Eric Rössler's visit at 1.30 p.m. Klaus I and Huby also off to see their lawyers. Outside the office, Huby informs Mackert he is officially going on a hunger strike. The stuff he received for lunch was 'zum Kotzen' (vomit). Now it is official – Hubertus is on a hunger strike. I like that idea.

Over half-an-hour with Eric – brought new runners along.

3 p.m.: Tom about – talked about the procedure for his exit to attend dialysis.

5–8 p.m.: Umschluß with KI, KII and Huby – OK – coffee, cake and cards.

10.30 p.m.: ZDF-TV's *Aspekte* is a discussion with Peter Sloterdijk. The important comment from him is that we need to revise our cultural concepts. Lothar Fritze's book, *Täter mit gutem Gewissen. Über moralisches Versagen im diktatorischen Sozialismus* (Bohlau Verlag, Köln 1998) is of interest here. Fritze attempts to understand the East German dictatorship perpetrators by focusing on these individuals who were convinced that their actions were correct. This moral claim will be offensive to the system's victims. But the aim of the book is to bring about a discussion with the perpetrators so that their thinking structure is exposed, something that a liberal democracy may also find helpful so as to guard against a new dictatorship. I wish the Germans would open up to a discussion of the national socialist era in such a way. It would help so many to an understanding of what moved the world from 1933 to 1945. The current politically correct attitude is not helpful at all. In fact, it represses and prevents our mind from understanding the forces that played a role during this period.

Saturday, 25 September 1999

7 a.m.: awake call.

9.20 a.m.: Hofgang – in rain, together with Huby and Cong. Luckily it was not cold so the hour walk in the rain was a delightful refreshing experience.

Lunch: decided to also go on diet.

Umschluß with Huby, writing up his report.

3 p.m.: supper and sleep until 6 p.m. Attending to correspondence while watching the German version of the Guinness Records – rather flat and forced.

Legs and feet swollen again – from Friday's gravy sauce?

Frankfurter Rundschau items:

Norbert Grob writes about Nazi film producer, Veit Harlan, whose 100th birthday falls this month. He is best remembered for his *Jud Süß*. His

aim was to affect through his films, 'Die Aussage des Ungesagten'. In 1962 Harlan wrote an open letter to *Die Welt* in which he expressed deep shame for having been a defenceless tool in the hands of Josef Goebbels. Grob rightly calls Harlan an opportunist. Any science student knows that this cannot be a crime because it is part of our human nature to be thus. We need to augment such opportunism with personal responsibility, do we not?

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Friedrich Christian Delius's *Die Flatterzunge*. (Erzählungen, Rowolt, 1999) is reviewed by Uwe Pralle under the heading: 'Fünf Sekunden Adolf Hitler sein'. Delius talks about the 'AH-Effekt' which describes the social ostracism that occurs when someone mentions the name Adolf Hitler – the taboo figure that to this day produces odd responses in individuals. Those who without much thought raise the taboo in a conversation will find listeners distancing themselves. It is also expected that transgressors will justify their *faux pas* and show *Reu'e*. The case of the German musician who in 1997 signed a hotel bill in Tel Aviv with Adolf Hitler, is of course Delius himself. Must get a copy of the book.

Sunday, 26 September 1999

Strange dreams about son and Goroke – and related matters ... but not painful.

Church with Father Volz. Church all lit up – still dark outside, overcast but not raining.

Hofgang with Hubertus – he is OK.

Lunch: mashed potatoes – reason for my rejecting food.

Umschluß: all together again – I won, again, at Mau-Mau. Funny, I do not cheat like the others and still win. Perhaps if I start to cheat, I may then also lose.

3 p.m.: supper and back to cell 1313. Watched a film on HR-TV about Ostfriesland – a moving portrait because I can see father's mentality there. One old fellow tells the interviewer what he does all day – leaves home, sits on a bench with friends then eats lunch in the Gasthaus and after some more of 'doing nothing' goes home. Oldenburg, Jadebusen, Leer, Aurich and Bensersiel.

ARD-TV's *Kultur Report* is about John Cornwell's book, *Hitler's Pope. The secret history of Pius XII*. Father Kurt-Peter Gumpel, 75 years old – but youthful, is the Relator at the Vatican. He attempts to correct the picture somewhat. The rest of the program focuses on the two letters the Pope wrote wherein he expresses allegedly anti-Semitic sentiments. His critical comment about the Bolsheviks being Jewish is, of course, a fact. Gumpel rightly pointed out that the Pope's comment was about individuals and not about Jews generally. That is the point we also make

but we refuse to accept the term 'anti-Semitism' as a discussion stopper. These things need to be brought to light – that so many of the Bolsheviks were Jewish persons.

ZDF-TV's *Philosophisches Nachtstudio* continues the Sloterdijk controversy at 0.23 a.m. on 27 September. I am amazed how traumatised some of the persons are – free thought and speech is difficult for them, though not for Sloterdijk. He pushes to the limits of asking 'ungeheure Fragen' – to the boundaries of consciousness for the sake of having the Heidegger 'Weltgespräch' – we are back to the universality of all our endeavour – informed consent? I sense others are trying to strip Sloterdijk of a moral claim – without success. The Kantian Categorical Imperative comes into play – it is above cultural imperatives and is thus universal.

Monday, 27 September 1999

7 a.m. off to Kammer for a change of tracksuit.

Hofgang changed to the area between the administration and the remand wings. Why? Because the other area has workers who are digging around the lawn. The Edeka supermarket truck also waits to enter our area for deliveries. Tomorrow is shopping!

I formulate my hunger strike notice in letters – and off.

Ten years ago East Germany opened its borders as democratic impulses swept its territory. No, what swept its area was a desire of its citizens for more personal freedom – to go shopping!

10.15 p.m.: BW-TV's *Versuch über Josef Mengele* is a detailed look at Dr Mengele who, 30 years after working at Auschwitz, died in 1978, age 68. Dr Hans Munch, Mengele's assistant, claims he objected to the gassings but Mengele said it is 'wissenschaftlich erforderlich' (for the sake of scientific research). The Kaiser Wilhelm Institut in Berlin was closely associated with Mengele's work. Actor Götz George comments 'Mengele is human and he needs to be given the space to destroy himself'. That is how George approaches his playing of Mengele in the film *Die ganze Wahrheit*. Mengele saw the conflict around him as a battle between two peoples of high achievers – the Jews and the Germans – and one had to win over the other. That is a new angle for me. It does not explain the initial cooperation between the Nazis and the Zionists, the latter pushing for their own state in Palestine. An SS soldier, Joseph Kehle, said he found Mengele a good superior to work under – more a Kamerad (friend or colleague) than a boss.

Following this program at 11.05 p.m. is *Literatur Im Foyer* which featured the literary critic Marcel Reich-Ranicki in a discussion about his autobiography. He trots out the same old story of his Warsaw Ghetto time – and how the family was murdered in the gas chambers at Treblinka. Threateningly he jabs his index finger in the air, at those who ask him challenging questions.

Frankfurter Rundschau items:

The European Union Parliament has withdrawn a report about right-wing parties and movements. An additional document from political scientist, Jean-Yves Camus, from the Paris-based Research Institute for Racism and Anti-Semitism. Therein it is stated that in all 41 countries of the European Union a marked increase has occurred. He mentions extreme right-wing activity centres in Stuttgart, Brandenburg, Sachsen and Thuringen. As well, he termed the small independent peasant party of Hungary as 'catholic, conservative and opposed to foreigners'. Hungarian delegates objected to being thus categorised.

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The UN Security Council is re-thinking its position on Iraq – perhaps lifting the 8-year-old sanctions.

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The World Jewish Congress has criticised Germany's Allianz Insurance company because at the Eagleburger Commission it refused to hand over its list of unclaimed insurance policies. World Jewish Congress director, Elan Steinberg, wants these lists. Instead, Allianz says it has since 1997 advertised and invited victims and their relatives to send in their claims against the company. This is exactly what the Swiss banks have demanded – a list of claimants, and not just a handing over of unclaimed funds. What a racket that is. Under the guise of Holocaust reparations, a group of people fleece companies of their dormant accounts.

Tuesday, 28 September 1999

Hofgang – OK. Hubertus feeling reasonable – thinks he will keep it up.

Drogensport – Wolf not available so watched morning TV. BW-TV *Fliege* had prominent people talking about their lives. Dr Dieter von Puttkammer had nothing to do with the 'braune Masse' (brown mass) but behaved like a true Prussian soldier, full of honour and conscious of his aristocratic tradition. Puttkammer says that, of course, he would like to return to Pommern but the Poles have a law which prohibits Germans from purchasing property. Markus Stolberg's great-great-grandmother, Sissy, was an Austrian empress.

2 p.m.: shopping – not much, some tobacco for the needy and Coke for Hubertus.

Supper down the toilet.

Umschluß – all together again. I won Mau-Mau again. Must be a losing streak on its way by now.

7-9 p.m.: Bible Group – Erntedankfest so two plates full of grapes, basket of apples, and biscuits and tea. I drink only tea – and am amazed how I do not feel like eating those delicious things.

Mannheimer Morgen item:

A court case in the Landgericht – a former prison officer is on a charge of having smuggled drugs into prison. From within prison three men had a roaring business going with drugs and alcohol. The case is continuing.

Wednesday, 29 September 1999

Strange dreams – small town – travelling on a bus – love – knew it was Australia because of the sun's position in the sky: northern hemisphere facing sun, it travels from left to right; southern hemisphere facing sun, it travels from right to left. Wow, that is brilliant.

Hofgang – with Huby and after he is with me in 1313 as he now has a blue dot (suicide risk) and cannot remain alone. Thus no Kraftsport for me.

Try to get home on the phone but no answer – just ringing. On my return to 1313 Kunzmann is talking to Huby. Geiger also appears and talks to Huby about his work application, which has been almost immediately granted – for next Monday. But he will have to start eating again. Suggests that he can take the food and throw it down the toilet bowl. Huby agrees to stop his hunger strike – he stays the night with me, and we talk until almost 3 a.m.

2 p.m. Social Training Group – only one because Klaus cannot come, Hubertus is in his cell during my absence! The group definitely needs replenishing. It would be ideal for the fourth floor, for those who are barred from doing anything!

Frankfurter Rundschau items:

“Ein Zeuge der Vernichtung’ Ernst Rosin, Co-Autor der ‘Auschwitz-Protokolle’, ist tot’ by Michael Okroy in Wuppertal.

Well, what have we here? Okroy claims that the tragedy of the Jewish extermination lies in the fact that only in April and May 1944 the Allies believed the rumour. What happened on those dates? Four Jewish prisoners escaped Auschwitz-Birkenau to tell their story to Washington.

Ernst Rosin died yesterday, age 86, in Düsseldorf. In 1942 he was sent from his home in east Slovakia to Auschwitz where, at Birkenau, he became acquainted with prisoner no. 29858. When he became a witness to the murder of the Hungarian Jews in May 1944, he saw flight his only chance of surviving.

At this point I ask myself whether the Hungarian Jews and all those thousands of other prisoners were not thinking along the same line. After all, it was possible to get out of Birkenau. There was no fence at the bottom-end of the camp, where the alleged homicidal gas chambers were.

With the aid of the camp underground resistance organisation he escaped with a Polish-Jewish friend. On 6 June they were arrested by Allies in the Slovakian border, but they were not identified as 'Auschwitz refugees' (Auschwitz Flüchtlinge). In Bratislava they made contact with the Jewish underground and made their statements. In this way he became the most important witness in the Polish court case against Auschwitz Kommandant Rudolf Hoss and the Lager-Wachmannschaften as well as the Frankfurt Auschwitz Trial of 1963-65. He migrated to Palestine but then returned to Bratislava. In 1966 he wanted to emigrate to the USA but ended up in Düsseldorf.

*

'Der Brief aus Stuttgart' ('The letter from Stuttgart') by Bernhard Honnigfort in Zwickau confirms what George Kausch said to me a few years ago. While discussing the revisionist cause with Kausch, I made the comment that if there were 100 professors in Germany who stuck their necks out, then that would herald a kind of 'Woodstock' situation. The German authorities would never dare to imprison 100 professors for offending against Sections 130, 85, 89, 94 etc. For this to happen, Kausch said, the economic situation in Germany would have to deteriorate drastically. He then cited a number of examples from history where economic decline led directly to a change in ideology. He believed that the revisionist cause had to wait some more. This point made sense – and brushes aside the notion expressed by some that I, by coming to Germany, wished to become a sacrifice on the altar of free speech.

Honnigfort recounts how during the final days of the Erich Honnecker regime of East Germany, with the Hungarian-Austrian borders open, President Horst Sindermann wished to strengthen 'socialism' in his country. This meant he had to show something was happening on the economic front. In the Dresden transformer factory there was no more copper available to build necessary transformers. The only one available to that time was thus transported on a heavy loader from power station to power station – each time unloaded, officially commissioned with party bosses present champagne and snipping of ribbons, then dismantled and loaded again.

Around this time, in August 1989, a woman from Stuttgart wrote a letter to the SED newspaper *Freie Presse* in Zwickau wherein she claimed that most West Germans could not understand the desire of the East Germans to leave their country. The wish to travel to Spain was just plain stupid, she wrote. She concluded that the citizens in East Germany had more freedom than those in West Germany: if she had a choice then she and her husband would live in East Germany.

At that time Erwin Kullant was in charge of the Friedensbibliothek, the core of the peaceful revolution in Zwickau, where emigrants could inform themselves and draft dodgers could seek counsel. The 'Neue Forum, Demokratie Jetzt und die Grunen' emerged out of this library.

‘The letter from Stuttgart’ came just at the right time for those trying to hang on to a dying system. They incorporated it into their anti-Bundesrepublik propaganda by celebrating the letter writer, Ingrid Sacks, with a further interview. Therein she astonished the Zwickau readers by informing them that their country was doing well, improving from year to year. She lamented the hateful response that she had received from readers of newspapers in Baden-Württemberg who had followed the inter-German controversy. Kullant says even the SED bosses laughed about the letter and its writer, who was dubbed in Zwickau, Erzgebirge and Vogtland as ‘the red aunt from Stuttgart’. The letter had become synonymous with silliness. Publishing the letter had the opposite effect to that desired – it enraged the people. The economic situation – especially going shopping – worsened and words could not improve it. The system that relied on a control of individuals – the dictatorship – could not control anymore.

This fact, alone, brings forth the virtue of a democracy – where individuals control themselves, their own lives. It is an ideal – but well worth following. It works reasonably well in Australia – but it needs to be explained to each generation that a voluntary system is better than a system where faceless persons dictate under the guise of some ideology that is in fact crippling their minds, as was the case in East Germany.

Oh, by the way, George Kausch was right in his analysis!

Thursday, 30 September 1999

Dreamed about my ex-wife, then woke up just at a nice moment.

Hofgang – Hubertus off to cell 1217 afterwards and I went to Drogensport (soft tennis, exercise and playing with a medicine ball). The latter certainly brings back memories of past days – do you remember those big medicine balls? Afterwards the fellows showered in the gym showers because the new rule is that this must be done. I was not prepared for that – in any case, after showering most fellows still sweated – and moving into the open afterward can chill you. A couple of fellows already have colds. I shall not go along with this rule and continue to shower on the block.

After lunch we had Wäschekontrolle – two Beamte came along with a big sheet of paper and ticked off all the clothing, linen and towel items in my possession. I had one missing towel – Hubertus had taken it when he moved to the floor below. It did not matter.

Supper – played some guitar and watched TV, a program about apes. Oh, so much like us.

5 p.m.: choir – only KI, KII, Davide, Bernd, Prokop, Bernard and another plus Kunzmann and choirmaster Kretzer. Not enough because the second floor had its clothing and linen check at this time, and other choir members could not attend practice. So we moved into the room where we usually have our Bible Group and drank tea and talked freely

about anything that came to anyone's mind. Kunzmann is having a 2-week break so the Bible Group and choir will not be held.

Bernhard Claasen informs me that he is the second person to nominate for the U-haft election. Bernhard informs me that the names are out and that the election is on 3 October. Hell, what to do? I am unofficially on a hunger strike! Luckily the letters that I sent out Monday morning in the blue envelope returned that night – I had forgotten to put the reference number on the envelope. Must now think.

Watched TV about Günter Grass receiving the Nobel Prize for Literature. Then sifted through the 13 letters that came in today. What a pleasure it is to get these letters.

Frankfurter Rundschau items:

Salman Rushdie's contribution to a book, *Jeden Tag beginnt die Welt auf neue*, by a Dutch publisher, Podium, is causing problems for UN Secretary-General Kofi Annan. He has withdrawn his foreword to this UN-supported book because Rushdie's contribution contains a warning about the danger of religion – and which the publisher was not prepared to edit out.

*

In Belgium the bishops are begging the Jews for forgiveness for having had an anti-Jewish attitude in the past, something which is anti-Christian.

Friday, 1 October 1999

Had another lovely dream-filled night, full of love – something that cannot be satisfied within these four walls.

Cleaning of room but because it is cold outside I shy away from wetting the floor. A sweep is good enough. Becoming a little too relaxed.

During Hofgang Klaus II informs me of the morning news item about Kurt Hoffmann's imminent release from prison, as ordered by the Verfassungsgericht (Constitutional Court), something the Landgericht had earlier suggested but which was opposed by the public prosecutor whose decision was supported by an appeal to the Oberlandesgericht in Karlsruhe.

After Hofgang I try, again, to phone Australia – the line is engaged. I try cell 1232 on my way to the main office – Herr Geiger is in charge of the remand wing. The cleaner has his trolley in the passage and it is being loaded with Hoffmann's bare essentials. He is on his way to freedom after 18 months in this remand block. I am happy for him – but no luck with my call home – the number still is not answering.

5 p.m.: I accompany Klaus II to the aquarium in the basement – he is the fish monitor. My stay with him lasts for 15 minutes. On my ID card it says

I have permission only for Tuesdays and Thursdays. So, off I go, back into my cell. Luckily I have a lock on my cell door, so when there is no warden to open it, anyone can let me through the main door, and I can slip quietly back in – without having to wait outside my door until someone does come by. There are times when there is no-one about: for example, after the 3 p.m. supper has been handed out.

6 p.m.: Klaus I enters my cell. He has just returned from another day in court. Like Hoffmann, he is categorised a Wirtschaftskrimineller (white collar criminal). He has been here for 17 months. He is also 55 years old – his birthday is on 20 April, something that always leads to some comment about Hitler's birthday. It is through him that I began to play the guitar. Together we watch the RNF-TV news. Sure enough, we see how Hoffmann walks out of the prison gate with his bag in hand to a waiting lawyer.

6.30 p.m.: Klaus II enters, having returned from his fishes, and we play cards until 9 p.m. The warden on duty knows we are a quiet, trusting group of men – and all the warden wants is peace and quiet.

10 p.m. I watch NDR-TV's talk show which features Marcel Reich-Ranicki responding to questions about his autobiography, *Mein Leben*. He does not agree that Günter Grass should have received this year's Nobel Prize for Literature. Perhaps this is because Grass once publicly demolished literary critics, naming him, as not being productive. Asked whether he considered himself to be a German he responds, 'I am not a German but I can live comfortably the way I am' and 'What happened to Bubis cannot happen to me'.

Frankfurter Rundschau items:

The Japanese 'Chernobyl' accident in Tokaimua.

*

Communist China celebrates its 50th birthday – reports say it is all show and the population has been neglected. The favoured 'masses' are not there, are not participating in this 'politically correct' celebration. It is reported that 300 000 itinerant workers from China's rural provinces have been placed in 'concentration camps' outside the city limits of Beijing. Also 100 000 prostitutes and petty criminals have been removed to 'cleanse the peoples'. Well, what is there to say? Rupert Murdoch supports the regime!

*

George Bush, former USA president, will receive the Franz Josef Strauss prize of the Hans Seidel Stiftung in Munich. The reason is that Bush was significant in ending – bloodlessly – the Cold War. The ceremony will take place on 13 November and the former German chancellor, Helmut Kohl, will give the address.

*

Historian Peter Gay will receive the Geschwister Scholl Prize of the Bavarian Publishers Association together with the City of Munich. It is for his book *Meine deutsche Frage. Jugend in Berlin 1933-1939*. Therein he describes an historical period together with the fate of an individual Jew. The prize is worth DM20 000 and will be handed to him on 22 November in Munich.

*

The Berlin-based Berliner Staatsanwaltschaft gegen die Regierungs- und Vereinigungskriminalität, the organisation which had as its task to look into the legality of former East Germany's state actions, is to be disbanded. There were 1065 individuals facing allegations of having committed a criminal act – among them deaths at the Wall: 335 have been sentenced; 23 000 cases were never followed up for lack of evidence of wrongdoing; and 200 cases remain open. Among them are the doping cases of young East German sports women. According to the Humboldt University's research a total of 100 000 individuals faced investigations since the fall of the Wall in 1989. So now the pursuit of 'DDR-Unrecht' has ceased – and comparisons with the pursuit of 'NS-Täter' stands to reason. The argument follows the logic adopted by the International Court in Rome: human rights stand above any hurtful action committed by anyone under a dictatorship. Food for thought; or is the wheel turning?

Saturday, 2 October 1999

Exceptionally good rest, and pleasant dreams.

7 a.m.: wake-up call.

9.30 a.m.: Hofgang – about 200 remand prisoners participate. The workers join us for the weekend but that makes it rather difficult to move about in the small courtyard. Who cares?

Umschluß with KI and KII. Hubertus is on another floor because of his working in the Montage (assembly section) putting bicycle wheels together.

Frankfurter Rundschau items:

The USA is to investigate one of its Korean War massacres in No Gun Ri in July 1950. Six former soldiers said they had shot at refugees. Well, perhaps one day we shall hear what happened to the German refugees after World War II or just prior to the end.

*

President Romano Prodi of the European Union visited the former concentration camps of Auschwitz and Birkenau. He says he visited Auschwitz at the beginning of his term in office so as to hear the voices of the Holocaust victims. The ap report then states that 'between 1940

and 1945 more than 1.5 million people were murdered in Auschwitz and Birkenau'. Do I detect a separation here of these two sites?

*

Günter Grass, Nobel Prize winner for literature, is celebrated by the Polish media. Former dissident and now chief editor of *Gazeta Wyborcza*, Adam Michnik, describes Grass's works as an onion which Germans peel so that their tears flow more easily. He praised Grass, who was born in Danzig (now Polish Gdansk) for being one of the first to accept the Oder-Neisse as the Polish-German border.

*

A committee of the German parliament is to investigate the activities and shared responsibilities of members who once were in charge of East Germany's ministry of state security. The SED successor party, PDS, objects to such moves. Any member of the Bundestag who is investigated will have the right to look at their file.

*

There is a new book on the market about genetics and civilisation. Aptly it is from an Italian, Luigi Luca Cavalli-Sforza – *Gene, Volker und Sprachen. Die biologischen Grundlagen unserer Zivilisation*. It follows on from his 1994 book *Verschieden und doch gleich* which lay the foundation for the multicultural and anti-racist movements. Cavalli-Sforza teaches at Stanford University. For the past 25 years he has been expounding the view that *Homo sapiens* originated in east Africa.

*

In a long article by Michael Fahlbusch, a Basel-based historian and geographer, 'Die verlorene Ehre der deutschen Geographie. Bis heute wird die Mittäterschaft der akademischen Vater am Volkermord der Nationalsozialisten verdrängt' (The lost honour of German geography), he refers to this weekend's conference of German geographers in Hamburg under the title 'Geographie und Globalisierung'. He feels this sets the tone of their public role for the 21st century, and stresses their socio-political importance. Yet, ask German geographers about their past and there is silence. He lists the names of those who pioneered the subject: Emil Meynen, Karl Stumpp, Friedrich Mertz and Hugo Hassinger. They had all learned their trade during the years from 1933 to 1945 when they worked for the Reichsministerium and the SS on studies on how to re-locate and 'selektieren' the Jewish population. Fahlbusch goes into a detailed analysis of what these academics did during the war – and concludes that they will have to face their responsibility in the genocide program. Well, Dr Joel Hayward would disagree with Fahlbusch. Why? Hayward concludes that there was never an extermination program – forced relocation, yes, but never any homicidal gas chambers. Who has the intellectual problem now – Fahlbusch or Hayward?

Sunday, 3 October 1999

7 a.m.: awake and ready for church.

8 a.m.: Kunzmann's absence is noticeable but his replacement is willing. He likens our prison stay to that of what nuns and monks – nay Christians generally – endure: poverty, chastity, obedience and communal living. Then there are rules for the game which takes place above and below water. The things you see and the ones you do not, and the resultant Schadenfreude, which he termed a particular German pastime. I switched off after that and waited for the hour to end.

Hofgang with Andre, a former yuppie who, at 25 years of age, wants to get out after a year here and live.

Lunch was down the toilet as usual.

Umschluß with KI and KII – guitar playing and cards.

Television is full of 'Tag der deutschen Einheit' celebrating German unity which began with the occupation of the German Embassy in Prague on 29 September 1989. Foreign Minister Genscher spoke from the balcony on the night of 30 September 1989 and guaranteed the 5000 people a safe exit through East Germany into West Germany. He had spoken with Gorbachev prior to that. The train that transported these refugees stopped at Bruchsal. On 9 November 1989 the Berlin Wall fell to the pressure – now all Germans have the Berlin Wall of the mind to overcome. Writ large on its stones is 'Get the Holocaust investigated and do not accept anything but the truth'.

At lunchtime each U-haft prisoner received a slip on which was written:

Wahl des Sprechers der Untersuchungshaft (Election of
representative for remand prisoners)

Claasen Bernhard ()

3.10.99

Töben Fredrick ()

Nur 1 Stimme abgeben, ansonsten ungültig! (Only one vote,
otherwise invalid!)

So there, I participate in a democratic process. The result should be out soon and I do not expect to get it because the other fellow actively canvassed, as was his right. I did not sense the urgency in doing that – minimum effort was for me.

Monday, 4 October 1999

It was a cold night and I had the cell window closed for the first time since moving in here.

After lunch Tom comes to the door and informs me he has just heard the news about my winning the election. I shall wait until the result is announced officially.

3 p.m.: supertime. The cleaner informs me I am wanted at the Zentrale. I press the call button. A voice says I am to come forth – in the room just outside, to the right, Rentz welcomes me and advises of my election: 'Are you willing to accept it?'. 'Yes, thank you!'. Only 191 of the 234 prisoners voted. Of these votes, 39 were invalid. Of the 152 votes, Bernhard Claasen obtained 55 and I received 97. There are 902 prisoners here in total: 234 on remand and 668 serving a sentence.

11.05 p.m.: On BW-TV there is a dispute about Sloterdijk. Dr Norbert Bols claims he is insulted if someone uses the word 'selektion' because it is associated with the Auschwitz Camp! Sloterdijk's essential argument is difficult to elicit because of the terrible overload the other discussion members feel about the taboo topic – Adolf Hitler and the national socialists. The trauma is, in my view, a result of the re-education since 1945 of the German people. The Sloterdijk controversy will not yet go away. I will write more about it.

Tuesday, 5 October 1999

Rather tired – no Hofgang because of rain. Geiger says that it is then Umschluß for the wing – some discussion with Himmelmann and Selinger about what a U-haft representative can do.

11 a.m.: watched Jörg Pilawa on SAT1-TV discussing with individuals the terrible practice of the scientologists. Well that is exactly what is happening to me – and the public prosecutor is chasing me into prison. What is new?

Mail: Judge Kern informs me that the sentence is being reviewed by the Oberlandesgericht and I have until 10 October to respond to this action.

Supper – Tom comes in for an hour U-haft representative Umschluß – cuppa and slice of cake. Interesting story to tell – 9½ years sentence instead of life (Lebenslänglich).

5 p.m.: Fish Group with Klaus II – OK – cards until 6.30 p.m.

7 p.m.: Interna meeting: Mackert leaves the door open because he has to attend elsewhere but he checks with the Zentrale about the meeting – OK! Off to the AK room for induction. Herbert Rentz, after 18 months, is giving it away because he is due for release in six months time. We meet again Saturday and Sunday after lunch.

Frankfurter Rundschau items:

The European Council expresses concern about the growing number of prisoners in its 41 countries. Prison ought to be a means of last resort, to which I agree!

The former commandant of Hasenovac Concentration Camp in Croatia, Dinko Sakic, 78 was sentenced to 20 years in prison. Hasenovac was known as the 'Auschwitz of the Balkans'.

*

Book reviews by Christian Geulen. Michael Fahlbusch's *Wissenschaft im Dienst der nationalsozialistischen Politik? Die 'Volksdeutschen Forschungsgemeinschaften' von 1931-1945*. The author of this book just recently published an article about German geographers and complained about their refusal to face their Nazi past. He fails, says Geulen, to establish the link between the two. Notker Hammerstein's *Die Deutsche Forschungsgemeinschaft in der Weimarer Republik und im Dritten Reich. Wissenschaftspolitik in Republik und Diktatur*. Although better than the former book, it stops at 1945 which Geulen regrets because it is important to have a study that brings us up to date and relates the connections.

*

On this day the Internet carried information relating to my imprisonment (Appendix 31).

Wednesday, 6 October 1999

No hot water for a shower.

No Hofgang for me but door remains open for Sprechstunde (talk-hour): Tom comes in and we discuss the matters to be raised with the prison governor, Herr Winkler, at the end of the month: Pissours – water – newspaper – football – injury danger (the small courtyard is not suitable for Hofgang) – the telephone rule (only initiated if important from lawyer: strange logic as the prisoner can initiate at any time).

After lunch Geiger comes in and presents me with the official documents for trial. I begin to write letters containing this information – 24 in all.

Mail: from Kai Richmond and Ronald and Michael – encouraging.

No Social Training Group today but Mackert brings the Laufzettel for my meeting with Frau Frei tomorrow – OK. He also types a sign for my door re being the Internasprecher.

Umschluß with KI and KII but called out to talk with fellow prisoners generally. Tomorrow at 5 p.m. I am off to the fourth floor, as requested.

Frankfurter Rundschau items:

Hunger striker per Landgericht judgment not to be deported anymore – at Hohenasperg to get fit again.

*

Brecht Denkmal sprayed with swastika – follow-up of grave desecration in a Jewish cemetery. But Police President Hagen Saberschinsk claims it

is not politically motivated because a Protestant cemetery was also desecrated. Did we not have the same in Adelaide? Why blame the right wing for this?

*

Graf Lambsdorff stresses again to Stuart Eizenstat that his offer is that or nothing. But nothing is definite – let us hope my trial will publicise the truth of the gassing nonsense.

*

The public prosecutor at Karlsruhe has again a case of ‘auslander-feindliche Tat’ which is doubted by those in the know. A minister of religion doubts whether youths who assaulted a Vietnamese in Eggesin were politically motivated. Well, what is new? We had an alleged right-wing fellow here in prison who could not even string together a sentence!

*

Ocalan is to get a new trial – and Italy may grant him asylum.

*

In Bad Homburg there is a ‘Dialog der Kulturen’, a movement to encourage talking between Christian, Jewish and Moslem groups. It was initiated in 1996 by Lord George Weidenfeld and the ‘Bad Homburger Herbert-Quandt-Stiftung der Altana AG’. Good idea – religions have spread evil and good. Let us hope it is good.

*

The Justice Ministry announces in Frankfurt that it will trial electronic foot shackles – why not! Cell life is antiquated – but a voluntary cell life in the form of a reflective retreat is highly desirable for those who have succumbed to excessive materialism’s temptations.

Thursday, 7 October 1999

Tired but today had to make a break and have my Hofgang – with Davide and his problem. I wonder how influential drugs are in such emotional fluctuations?

From then on waiting for my 10.45 a.m. talk with the social worker, Frau Frei. While waiting I watched a Heinz Ruhmann film with the fellow next door. He is also off to see Frei. Nothing is happening in his case: he cannot even get his keys and bank card outside so that his mother can finalise his business.

Missed Drogensport – Klaus wished I had been there because they needed me for volleyball.

Asked Frau Frei if the discussion group could be changed to include the fourth floor. She will discuss it with others.

11 a.m.: just in time for lunch and to watch the news on RNF-TV which mentioned that 'mutmassliche Rechtsextremist Fredrick Töben ... Volksverhetzung/Beleidigung/Verunglimpfung des Verstorbenen ... mit Staatsanwalt über seine Theorien zum Holocaust diskutieren ... festgenommen ... leugnet Massenmord an Juden ...'. I write a letter to the station informing them that my discussion with Klein was about my not finding the four gas induction holes at Auschwitz.

Then off to Geiger's office for a telephone call to Australia – it worked – all OK, that is good.

Saw Hubertus in his cell – had just finished his meal – also saw Joe and Cong – former waiting for police who want to talk to him. Advise him not to say anything if there is not a solicitor there.

Called Bock and asked him to ring RNF-TV and complain about the text.

Noon: Back home and again saw the item on RNF-TV.

12.15 p.m.: Himmelmann and Tom – the latter thinks we could have a video of the film *Saving Sergeant Ryan* for the Bible Group and discuss violence etc. Good idea.

5 p.m.: Fish Group until 6 p.m. then news on television. Steiner's case is mentioned in the context of Hassinger's release from prison. Then Klaus comes and says he is thinking the case is good because today's witness was not helpful for the prosecution's case. Perhaps.

7.30 p.m.: writing letters in response to the ones received today, – and to Andreas Röhler requesting him to send his thoughts to Bock.

'König Pilsener – Heute ein König' advertisement on airship. I could hear the droning sound of its engines before it wafted its way over the prison complex.

News: Germany will send 100 troops to East Timor – history in the making; the Bundessozialgericht refuses a request that health funds pay for amalgam replacements – 'nicht mehr als eine Ungesicherte Annahme das Quecksilber zu gesundheitlichen Beeinträchtigungen führen'. So, fillings in your teeth are harmless. Some would disagree with that quite vehemently.

Chapter 15



After Six Months

For the record: Is it to be six months, and more?

According to the philosopher David Hume, reason is the slave of gentle passion. Does this mean that the passionate Volksfest atmosphere at, for example, Munich's Oktoberfest or Stuttgart's Cannstatter Wasen is irrational? I do not even want to think about this silly problem. All I know is that I want to be there and enjoy myself – drink beer, eat schnitzel, jump about and be irrational!

Since my arrest and imprisonment on 8 April 1999 I have not had the pleasure to pursue pleasure. Luckily, Greek philosophy's hedonism never really rubbed off on me, except perhaps for the elementary Socratic dictum: the unexamined life is not worth living. I have now had six months in which to look at myself in the mirror and reflect – counting the minutes, hours, days, weeks, months and possibly years.

When I entered Mannheim Prison, winter was on its way out. The cell heater was still switched on, a 1.7 m x 30 cm x 2 cm water-filled metal contraption through which hot water is pumped. Trees and shrubs outside the prison confines were still barren. Then, within a few days, the heater stopped functioning and during my one-hour morning walks in the courtyard I noticed visible signs of spring approaching – a greening of the countryside. I wished to become the solitary reaper (of ideas), alone in my cell and without any hope of my song breaking the silence of the seas among the farthest Hebrides.

Now spring has come and gone, and summer rapidly blended into autumn – all the while I await my trial at the Landgericht in Mannheim. Extensive correspondence with over 100 individuals from all over the world – Australia, New Zealand, Asia, Africa, Northern America and Europe – has brought great comfort to my lonely state in this cell. I thank all who have written comforting words of encouragement. Fortunately for me I have managed to adapt to prison life, and it has helped me in that I found five Germans with whom I share my social life.

Also, the information flow via the radio, television and newspapers keeps me in contact with what is going on outside these prison walls. In particular I thank Christopher Steele for subscribing to *The Bulletin* for me, though I must add that reading it causes me occasional spasms of

pain – homesickness. Horst Nöldner, likewise, subscribed to a daily liberal newspaper – *Frankfurter Rundschau* – which continues to feed my terrible habit of mutilating pages (with the pair of scissors sent to me by Christopher) in search of interesting articles.

Initially I thought I would at least kick this habit while incarcerated. But no, like any addict I just cannot. Why not? Any flow of information, as unimpeded as possible (no censorship!), is essential if we wish our mind to grow and flourish. Unfortunately in Germany there is still a strong authoritarian spirit, especially within the judiciary that hates to see its citizens mündig. A free spirit, an independent thinker, is not wanted in democratic Germany. The dictatorship of the German mind is ensured through the application of the Holocaust dogma. Anyone who does not believe in this ideology faces social, financial and legal persecution.

Throughout August and September the German media fed its citizens with a continuous barrage of Holocaust-mania. Knopfmacher was right when he referred to this phenomenon as ‘the Holocaust racket’ and begged its perpetrators to ‘let my people sleep’. But while Germany continues to pay out on this ‘Holocaust racket’, claims will continue to be submitted. But there is a noticeable slowing down of enthusiasm within younger Germans to play the *mea culpa* game.

Let us see what my diary entries reveal, and perhaps ‘a voice so thrilling n-er was heard in Springtime from the cuckoo-bird’!

* * *

Friday, 8 October 1999

Early morning call – Mackert there to my surprise because he should have taken the afternoon shift. Himmelmann on ground floor instead. Same fun about my seeking permission to clean room – no, then he arrives 6.30 a.m. and opens up. Saw Hubertus standing outside below, ready for his work walk! Quick clean of room, then lay down again with open window – it is going to be a cold walk around at Hofgang. And it was – and raining. But I powered on in the rain on my own – refreshing. After a very quick shower because water over 37°C which was too hot for me but not for KI who was under it for up to 10 minutes. Shared coffee afterwards. Mackert informs me my visitor – I was expecting Rössler – was due next week at the same time. OK. Am I disappointed? Of course I am but I put it out of my mind and think of other things. While in KI’s room for coffee a rattle on the door – thought it was lock-up without getting back to my own room but, no, the central door hatch opened and I did what all those in the row behind me did: put my head through it and looked left, looked right. The cleaner then came along to sweep the frame of dust. So that is what it was all about. He also said it looked really funny – all the hatches open and heads poking out like a horse, a cow wanting food. I laughed heartily because I was just as stupid as all the others – I wanted to know what was happening. I was more stupid, because our door was open while the others’ was not!

The morning news was all about the DM6 billion marks being rejected by the Jewish World Congress and other national socialist-victim groups. Well, I am glad to hear that Lamsdorf is standing firm – how long, is the question. Already in the USA they are running advertisements against VW and Mercedes Benz. Glad to hear they continue the talks in Germany in November – just in time for my trial. Also, the Pinochet verdict – to be extradited to Spain, despite Margaret Thatcher's public support for him.

At 11.30 a.m., just after lunch, Warden Riege appears with my Interna card – OK.

Resting until 3 p.m. suppertime when Tom informs me he is awaiting Umschluß because of Interna matters – OK.

5 p.m.: KI arrives to inform we are having Umschluß in here – OK. KII off to the fish for the first half. I depart after playing for _ hours on guitar with KI instructing – good – must practise more – it is coming along nicely, but the fingertips are hurting. Then Hauck collects me and we spend an interesting time in Tom's cell, talking about Gammon's role as a U-haft Sprecher. He had free reign – the door was open all the time – and he became an informer for the police, prosecution etc. I would assume that this position is a confidentiality-clad one.

On television I watched the crowning of Germany's wine princess – OK. Then an item about Walter Kempowski, 'Das Echolot', who has collected items about the war from all sides. Says it is not tenable to say that the Germans were absolutely evil – that it happened in Germany is accepted but it could have happened anywhere. I like this balance which makes use of the old novel technique of showing rather than telling. Good viewpoint – balanced.

I looked through the *Mannheimer Morgen* about news on my case – nothing. I looked again but really nothing. Difficult to understand. Late at night I browsed through the *Frankfurter Rundschau* and lo, an item: 'Internet - Australier angeklagt wegen Auschwitz-Leurgnens'. The tone is the same that of the *Mannheimer Morgen* and the *Rhein-Neckar-Zeitung* – I shall formulate a letter to that effect. Let them inspect the site then talk to me again. The news about this case now is that the Mannheim police and the public prosecutor claim they have received death threats. Why do they not follow these up and find out who made them?

Frankfurter Rundschau items:

'Statt Literatur ein Stück real gelebte Angst': that horrible man of literary critique – Marcel Reich-Ranicki – was invited by the Deutsche Bank to read before an audience but not of Goethe or Schiller, just about his Treblinka gas chamber story. He gets away with it, shamelessly! He trots out the same old admiration for Brandt's Warsaw visit. Member of the Deutsche Bank says that today 'das Erinnern zum zentralen Bestandteil der Unernehmenskultur der inzwischen grössten Bank der Welt'. Oh, oh, oh!

'Angst vor drüben' by Inge Gunther, the former correspondent in divided Berlin, is now settled in divided Jerusalem. She has contributed an article to a volume edited by Gisela Dachs, *Deutsche, Israelis und Palastinenser* (Palmyra Verlag, Heidelberg). It contains contributions from 17 Middle East correspondents on the subject of that triangle – Germans, Israelis and Palestinians. She claims that Berlin is now one city again – in fact there are moves a foot to re-mark the line where the Wall stood. After 10 years people have forgotten where it was. The building frenzy has obliterated in most areas any sign of the former demarcation line that split the city.

In Jerusalem it is far more complex. Although the Israelis have made it one city, the physical reality is different: the Arab sector exists, the Christian sector as well, Armenian and the Jewish sector where the Orthodox are at home – Mea Shearim – is visible. For them it is Jeruschayim, not Al-Quds. Still, the Jewish and Arab parts of Jerusalem will remain divided because of cultural and religious differences. Even summer time and winter time are different in this city – the Israelis change for it while the Arabs do not. No wonder with this situation devouring billions in expenses, there is a need for a milch cow – naturally it is Germany. These stupid Germans are still paying out millions for what? War guilt? But Lamsdorf is saying that the claim on Germany will rest at DM6 billion and no more. Allianz Insurance is doing the right thing by paying out to individuals and not to the Jewish claim mobsters.

Saturday, 9 October 1999

Good rest and some pleasant dreams. Also thinking about the use of language. Things are taken literally so that we can litigate thereby reducing our colourful language to flatness and ultimately barren legalese – serious legalese where humour has died. Humour offends and offences incite people: that is against the law in Germany. 'Wir sind das Volk – Wir wollen raus – Wir wollen Wahrheit' (We are the people, we want to get out, we want the truth).

Rheingold Opera performance tonight in Mannheim – hell, why can I not be there?

7 a.m.: arise through the lightning effect of the fluorescent tube coming to life as the wardens switch on the lights for the floor so that their eyes can see whether the prisoner has survived his 16-hour solitary.

Hofgang good – initially with Hubertus but he rested up with KI and I continued with Cong. Fresh outside but not cold – a little wet though.

New warden – Dieckmann.

Lunch OK, then off to an Interna meeting. The serious part began when personal matters were raised – how letters do not get to the ministry etc. Well, my non-critical attitude towards the prison is developing into a

critical one – but that is owing to the information from the convicted prisoners. Punishment if one objects to the early morning light. After 3 years done nothing wrong, then immediately punishment without warning. That is not giving someone a right of reply etc. After the meeting talking more with Tom about what needs doing here in prison.

Umschluß – just the tail-end with KI and KII before it was time for lock-up just before supper.

Could not be taken to the fellow who wanted to see me (per Antrag). Will be done tomorrow – completed watching the Heinz Ruhmann film about a postie during and after the immediate end.

Wrote a letter to the *Frankfurter Rundschau* about their article about me. Letter to the paper from Professor Andreas Baro (Kommittee für Grundrecht und Demokratie, Graven-Wiesbach). He takes the USA to task about having known of the Indonesian army's atrocities in East Timor. What is new?

Rest after supper until 6 p.m.: dreamt about C. and other nice things. Watched television but except for the football nothing much on: Germany vs Turkey – first half no goal, a slow match and the result remained nil all which qualifies Germany for the European Cup. Completed these entries. Then off to bed – another night in my bunk.

I wonder whether I shall be energetic enough to attend church tomorrow morning. I must not let myself go – after all, I can sleep a lifetime when I am dead. OK!

Sunday, 10 October 1999

Dreamt about some country happening involving a flooding – even Stäglich appeared therein, besides the usual close ones. It ended with that flicker of neon and Wotan's ravens flying around the courtyard, sending messages that I still do not understand.

I did go to church – Hubertus not well because of negative letter from lawyer – now talking about 2 years etc.

After service off to the fourth floor to talk to Yuksel Yilmaz about his problems. Others also there – ended with Bernd and coffee. He has changed the regime as left by Eric – even in his cell. He jokes, 'Mein Vater starb auch in Auschwitz – fiel betrunken vom Wachturm' (My father also died at Auschwitz – he was drunk and fell from the watchtower) and 'Was ist der Unterschied zwischen einen großen und kleinen Juden? Der große brennt länger' (What is the difference between a large and a small Jew? The large one burns longer). When Eric transferred to the third floor, Bernd informed him of the good news – you are sharing a cell with Töben! Bernd just does not like people who ride on the Holocaust ticket in any sphere, especially in the business world. It is discrimination against his hard work, his personal effort. Gave me some of the writings.

No Hofgang – returned just in time for lunch but down the bowl.

Glance out the window – overcast outside.

After lunch to the second Interna meeting – until 1.30 p.m. Quite interesting to hear what those with six years on their back have to say about the role of Interna: three for and three against being active (it does not change much doing anything at all – such is life) inside and outside the wall.

After a brief call to Hubertus – quite down because of the 2-year prison sentence threat. Sad. After one hour back with the two Ks before lock-up time for the night.

Emil gave me Thursday's copy of the *Mannheimer Morgen* – therein was the item I looked for. Now also a letter off to them. Together with one to the *Frankfurter Rundschau*.

Frankfurter Rundschau items:

In a book review Mattias Arning writes about the latest study of Hitler's reign and finds – surprise, surprise – corruption. Historian Gerd Überschar and former Brigadier-General Winfried Vogel have produced a book, *Dienen und Verdienen*, wherein 'Dotationen' are exposed, for example the legendary opulent lifestyle of Hermann Goering. But this is not new material – Germans knew there was a new elite developing within their Gross Deutsches Reich. Were the ordinary people a part of this process of re-distribution of wealth? That, to me, seems the real question. The ensuing corruption is normal – until it reaches excessive heights and a new broom must come along to give the downtrodden hope of getting out of their misery, that is 'die selbstverschuldete Unmündigkeit' must be given the opportunity to become Mündig! That is the essence of a democratic spirit.

*

The Gauckbehörde has completed its work about the Stasi history by historian Hubertus Knabe. Now three publishers are producing a book about it – and each, in effect, has Knabe as a major actor in the production – rivalry within the publishing world is beneficial to Knabe. What is wrong with that?

*

Mit den Clowns kommen die Tränen by Peter Korte deals with the Holocaust and how this topic is being dealt with in the film industry. It began five years ago with Spielberg's *Schindler's List*. Then the Italian Roberto Benigni's *Das Leben ist schön* created a stir by presenting a 'grotesque comedy' about a father and son in a concentration camp and the Warsaw Ghetto. Now there is *Jakob der Lügner* – Jacob fabricates news because it is assumed he has a radio and he keeps the ghetto spirit up by using the BBC News about a Russian advance on Germany – all lies. The

film, based on the 1969 book by Jurek Becker, will be screened in Germany from 28 October. Robin Williams plays the leading role.

The importance of this article rests on presented facts – the Holocaust in the film industry is not a dogma anymore. Claude Lanzmann's *Holocaust* (1977); prior to that, Ernst Lubitsch's *Sein oder Nichtsein*; *Der Grosse Diktator* – Charlie Chaplin; *Schindler's List*; Robert Benigni's *Das Leben ist schön*; *Jakob der Lügner*; and the latest film from Roland Suso Richter, *Nichts als die Wahrheit*. In the latter Götz George claims, 'Jeder Trick, dieses Thema zu behandeln, ist erlaubt' (Every trick is permitted when dealing with this topic).

Question: Why tricks at all when it is a fact, an historical fact? From this perspective I sense that the story is falling apart, but that is only my view because I know enough about the topic, not so the general public.

Monday, 11 October 1999

Around 5 a.m. there is a strange sound. Later during the day I find out what it was all about – a breakout from the second wing through a hole in the wall. But a guard was waiting at the bottom of the cloth ladder.

After Hofgang off to talk on the fourth floor. Mackert writes out the note. Heinz Kiss, Jacko and Thomas – an interesting talk. Will bring matters to Winkler's attention. After lunch to the second floor: Wolfgang Gross (the cleaner) knows all about vegetarian diets. Form to Nick who sends it to Winkler for permission.

From there to the administration wing and the same discussion about the Stockwerks Sprecher and food with Ante Jacovich.

After lunch – rest – supper – mail and then off to second floor. With Diehl discussing an important point about Betreuung of younger prisoners: look after them I am to suggest to Winkler. Shall see how I fare when I meet with Herr Winkler.

Rhein-Neckar-Zeitung item from the weekend paper:

'Erst den Benz-geklaut und jetzt in die USA': treats the Mannheim problem of its important manufacturing industries – loss of Benz (now DaimlerChrysler); Lanz (now John Deere) and BBC (now ABB). Regional identity lost. Fritz Stern's 'universelle Bildung – präzise Urteil und unbestechlich, unbequem ... schwer ... unmöglich leidvolle Vergangenheit zu verstehen'.

Oh, my beloved Wagner opera slips through my sight. Mannheim 'Walküre': Siegmund – Stefan Vinke; Wotan – Claudio Otelli; Sieglinde – Janice Dixon; Brünnhilde – Jayne Casselmann; Fricka – Lioba Braun. What a pity I could not be there on Sunday night.

Tuesday, 12 October 1999

On the way down for Hofgang Diehl was there. In a loud voice I congratulate him and others fall in line wishing him a happy 73rd birthday.

Loud verbal altercation between Hoffmann and a Polish fellow. Latter calls Hoffmann a racist. This gentle man is undeserving of such a lashing from this young fellow. I mediate as far as possible. After Hofgang I go to Nick to see whether the fellow can be put in a 3-man cell with another two Poles – we shall see.

No Drogensport today – why not? Perhaps because it is shopping week. Hardly.

10 a.m.: back in 1313 – soon after the warden unlocked the door and Jacko is there. Invited to his abode until lunchtime, with a discussion about the nature of the job with Peter Rupp, a long-time expert who has seen many German jails over the past 25 years. Got a floor operational for quality control – took him three years of education but the U-haft is not stable enough to do anything at all. During Hofgang the American was back again: apparently exposed himself in a car at an intersection while the lights were red.

Lunch – OK but not for my consumption. I do not mind just eating salad but the rest is down the toilet.

My radio is back from Baker: listening to classical music is much better than watching television. Bernd said the same thing about his mythology writing: it stopped when he collected his television set and he has not written since. That is typical of the syndrome of Abbauen – resistance to the forces here because submission means no trouble; but that does not mean that the mind cannot remain active. Physical submission is a necessity here because that is how the system works. But mental submission? No way! Hence I continue to write my thoughts – be they as crazy as anything. That is the freedom a democracy must give me – otherwise my human rights are violated. And why should my human rights be violated here in Mannheim Prison?

2 p.m.: call to März's office (assistant to Winkler) about the meal quality control: no permission to copy sheet for each level. I am to do it during each floor's free time. OK.

Supper: a slice of cheese. Fernsehen (television) and Kochen (cooking) on first wing, third floor. 'Nicht Rauchen' (no smoking).

Umschluß with KI. KII at Fish Group. During cooking the cell doors are open and I survey a number of fellows, Moslems in particular. They complain about food and want to purchase their kind on Thursdays in the supermarket. Also complain about their Friday religious service. Interesting – about 50 Moslems here.

Conny also came along to cell 1301 – can he play the guitar! Good.

Wrote letters in evening to Everard Baker and *The Bulletin*. Watched the first episode of *Klemperer* – an admission that Jews survived Nazi Germany – that is a sensation!

Wednesday, 13 October 1999

Hofgang with Prokop, also here for 17 months.

Kraftsport – OK. Shower afterwards and lunch – lots of complaints about it before (from the cleaner) and after (from others).

Noon: telephone to Bock. Will be here tomorrow. Must remember the Baker request to have a new Anwalt.

Brief call to Wolfgang, the cleaner on first wing, second floor. What about *Klette* for prisoners? Then talk to first wing, fourth floor on their way to Sonderhof: all complain about lunch – no meat and only one small bread roll.

Resting to around 1 p.m. To be at Winkler's office at 1.15 p.m. OK. Waited with others until 2.30 p.m. then called in by März. Informed him I had little time because of a Social Training Group meeting (which then did not meet) and he advised me to put it all in writing. OK.

More talk afterwards: Nick returns two letters which I did not place stamps on – to Borleis and Migeod.

3 p.m.: supper – white bread – that is all. Down the hatch.

Problems with Tauchsieder – found the fault and fixed it.

Reading *Frankfurter Rundschau* and *Süddeutsche Zeitung* – many articles about Hitler's time, as if it is only yesterday.

5–8 p.m. upstairs to first wing, fourth floor. Talking to Bernd for the first half; and to Heinz for the second half. The plan is to get the position of U-haft Sprecher structured for the sake of all. Letters to Winkler for more information and also to Berufstrage person from outside.

Returned around 8.20 p.m. and the two Klauses returned. Urteil for KII tomorrow – *Rhein-Neckar-Zeitung* indicates a maximum of up to 15 years. We shall see what Kern will deliver.

ARD-TV series about the Berlin Wall (*Geheimdienste und Spione*): that the Jewish East German spy chief, Markus Wolf, took all the files to Moscow and handed them over to the CIA is telling. My case is part of this larger picture – really?

Porsche refuses to settle with the Zwangsarbeiter (slave labourers).

10.40 p.m.: tired after today's work!

Thursday, 14 October 1999

Cool morning but an hour for Hofgang after having cleaned my room and shared a coffee with KI and KII. The latter is apprehensive about judgement day: at noon it was on television – 7 years.

Drogensport cancelled because Wolf has an injury to nurse and three wardens are required to supervise the hall.

3 p.m.: Bock visits – lots of material from Adelaide Institute – personal matters – oh, I have no Bock for this, I need my energy for other things. Back next week for action plan.

5–7 p.m.: visiting the first floor to talk to fellows about problems. Prokop out soon. Hoffmann judgment has effect.

7–8 p.m.: Umschluß with KI and KII. The latter is holding on firmly to fate. We feel for him.

Friday, 15 October 1999

‘Kein Bock für Hofgang’ and so I swan about on duty. To the first wing, first floor cleaner for a chat: he wants a booklist for foreign books because books are there to be read by French and English and Spanish speakers. Will seek an appointment with librarian Meisner. The *Mannheimer Morgen* gives KII’s case an OK write-up.

The Schänzer (cleaner) is named a ‘Kalfaktor’ elsewhere.

11 a.m.: a visit from Eric Rössler. Good chat about everything: he thinks I should prepare myself for a longer stay – perhaps.

3 p.m.: supper then a little rest.

5 p.m.: off to the first wing, second floor for Freizeit (free time) chat to fellows about any problems. Freizeit means no sport for workers. Lots about bad food. Afterwards a legal book to Davide Brunetto and type out a letter for Cong. Began trip with Bernhard Claasen, second-in-charge – OK.

Ramadan for Moslems from 15 December for one month from 5 a.m. to 7 p.m. Want to cook afterwards. OK. No sport for workers – again!

Horst Hassler dealing with the judge:

Die besprochene Vorgehensweise wurde bestätigt. Termin zur mündlichen Verhandlung wird bestimmt werden auf 22.10.1999, 13.30 Uhr ... In vorgenannter Sache habe ich mit Herrn Richter Palm Rücksprache gehalten. Er ist jedoch nach wie vor bereit auch ihnen einen erheblichen Strafnachlass zu gewähren, sollten Sie ein Geständnis ablegen, welches letztlich die Herbeiholen der beiden holländischen Zeugen erspart.

In other words, if he confesses and admits to everything then he will receive a reduced sentence because he is saving the state costs in having to bring witnesses from Holland.

By 8 p.m. I am exhausted and off back to first wing, third floor – tired. Before sleep I look through the mail: Andreas Röhler is sending copies of his magazine – all the argument I need not to proceed with the case on the grounds that it is against the law. Kirby writes back – he is OK again because he stresses that he will never succumb to political correctness but will demand humaneness. That is OK by me. Müller wrote again, ironically of course, that there is a new plague ‘Braunfleckenseuche ‘fabulosus hitleritis’ (brown spots disease) which fits the pattern.

Saturday, 16 October 1999

Hofgang with Hubertus – quite chirpy though complaining about his lawyer’s slackness.

Lunch – did not eat it.

Umschluß with KI and KII – won the Mau-Mau games again. KII thinks cheating does not seem to pay – I win without cheating while they cheat and lose.

Supper – potato salad – spoonful with lots of garlic from my own supply.

Rest and later prepare correspondence for the Interna meeting tomorrow.

Sunday, 17 October 1999

No call for church – another slap in the face for Pastor Kunzmann – but enough there to balance the 25 guests. The Melchathon Choir – five men and 20 women, including a female pastor and choirleader. Tom, Cong with me in between smile nicely at the ladies and the response is ‘nice’. At the end I am the last to leave the church and they wave. And so I dream – as do Tom and Cong, not just for some minutes but right into our cell. Their singing fills the church and warms our hearts.

Hofgang – a beautiful morning which turns into a magnificent autumn day which calls me outside. Luckily, though the cell window is high, I see clear blue sky out there and jet streams, even crossing each other. It is all good outside.

Interna after lunch – Georg Höflein, Robert Siegel and I are the positive ones who seek action within the legal framework while Berthold Mohr, Ismer Berisher and Peter Bossmann (absent) oppose any action. We prepare the list for our 29 October meeting with Winkler, the boss of Mannheim Prison. The man who does not look you in the eye does not despise the people here – he fears them!

Afterwards, just one hour of Umschluß left with KI and KII. Playing Mau-Mau: I was in the middle and KI won while KII lost.

Supper and completed writing the letter for the Pole this morning. Collected stamps from Kühnle and so my 10 letters will be off in the morning. That is good.

Then preparation for next meeting with Bock. Watched *Liebe oder Geld* (Love or money) and the Christiansen program with Bill Gates, Stoiber etc. about globalisation.

Today Fritz Stern received the Frankfurt Book Peace Prize. He says the Germans need to confront their history. Indeed, they must look for truth without the fear of imprisonment, as is still the case. What kind of process is it which threatens imprisonment for historical research? That is what happened in East Germany and the Soviet Union. Reminds me of my 1970s Berlin visit where I met a historian who was not permitted to lecture anymore at the Humboldt University! The same is happening here: it is an old story. Good night!

Monday, 18 October 1999

Hofgang OK with a Turk who curses and spits on the ground and thus vents his frustration that way. He wants to know what is happening with him. He just does not know what is happening to his wife and children. Hey, I have been through something like that! People keep you in the dark and feed on the pain that generates within you.

After lunch to Geiger's office. I see Charley from Gabon crying: he has been here five months and does not know what will happen to him. The lawyer whom he rang – nothing. I spoke with only the secretary because Frau Muller is in court today. Message will be left that Charley rang. And what about the man in Strasbourg with whom Charley can speak French? His phone does not answer. Charley says to me he is tired and wants to die now. He is not interested in going on with this life. Geiger informs Charley that he will spend the night in the hospital and in the morning go to a clinic for a medical check-up. Dejected Charley is taken by Himmelmann and Geiger to the hospital and I continue my talk to the cleaner on the first wing, second floor. Afterwards to the first wing, fourth floor but Himmelmann is back and sternly advises me to leave immediately – it is not free time. OK, back to my room.

Not even time for a rest. At 5 p.m. it is Umschluß: cooking – KI provided chestnuts. Meanwhile, I talk with the fellows outside. All floors have received my proposed points for Winkler. That is another story – before Charley was taken away, Winkler read to me his reply to my letter. On the back of my letter Winkler had written his response but Geiger has problems in deciphering a word, which seems crucial to understanding the text. I request a copy of this for my file – preferably typed on a separate sheet of paper. No response from Geiger so I write a letter to Winkler requesting that I be written directly on a separate sheet of paper. This act of his may have offended against Section 8 of the Human Rights Convention etc. We shall see.

During Umschluß Robert Siegel arrives and we move into my cell. He, too, has a 3-page letter for Winkler about the food in this prison. It is detailed and it looks good, despite the extra exclamation marks and too

many commas. Never mind. Before that I talked with Conny about my views.

Tuesday, 19 October 1999

Good Hofgang with Hindt and Hoffmann – white collar criminals. Need to look at his Haftschrift (arrest warrant) for details of his delikt. Knows Mohr etc.

Kraftsport – OK. Tennis – 10 of us – a little late but a good sweat up. Shower after on floor, much to Himmelmann's dismay. Also to Kunzmann for a brief chat. Prokop out on DM150 000 bail – I thought it was 500 000. Also, today is the anniversary of three escapes from Kraftsport and the fourth wing, third floor of the sentenced prisoners section. And this morning two escaped after returning from the clinic – through an open door (gate)!

Lunch – OK and resting after good Kraftwork at Drogensport!

Supper – noodles.

5 p.m.: Fish Group – interestingly, funded 20 years ago by a millionaire who spent time here. Only Klaus I and I – played Rommé. Then after to the office of the prison magazine, *Klette*: Rob and Mario. Collected old copies of magazines for distribution to the fourth floor fellows. Had a nice drink and spaghetti there while delivering copies to them.

Bible Group – 14 people there – two new ones and the South American Indian in Abschiebungshaft: after eight months in U-haft without a trial or anything he is just sent back home.

Good session Matthew 22. Diehl comments on Sunday's female pastor who felt God had to learn a thing or two about his own failings. Also, a letter of thank you to the Melchathon Choir. A question was asked whether the prison director was also present: was either Klaus or I because we were the only ones wearing a suit!

10 p.m.: off to bed and watched the conflict of the Middle East.

Wednesday, 20 October 1999

Awoke at usual time – the result of early to bed!

Hofgang was OK – with Kühnle and Kukertz. After to Kraftsport – good.

Lunch OK and mail.

2 p.m.: new Social Training Group – 12 new faces. The coffee at the end was just enough for 11 – I volunteer to go without! The group will meet again next week without Charley and Everett who cannot speak German well enough to participate in this exercise.

Laiber hands me lots of mail – goody, goody – and stamps for speedy replies.

5–8 p.m.: Umschluß with Tom. In between Robert Siegel comes along about the Interna copy of the meal criticism. Then he tunes the guitar and the string-tuner breaks! Bad luck.

This evening's news: Papon is in hiding because of tomorrow's appeal hearing. It seems the matter is hotting up. Letter from Röhler is pointed: how could anyone persuade Bennett from attending the case? Bennett has his own mind, has he not?

Frankfurter Rundschau items:

'Holocaust-Zitat sorgt vor Wahlen für Empörung': a week before the Swiss elections Christopher Blocher is charged with being anti-Semitic etc. through Jürgen Graf's book *Vom Untergang der schweizerischen Freiheit*.

Thursday, 21 October 1999

Awake and house cleaning until Hofgang. Cold but a brisk walk with Hans – interesting perspective on things. Managed to get into the heart of the Russian bear.

Drogensport – football. Aching all over thus after shower and lunch in bed until mail and paper delivery.

To choir and deviated to the second floor for an Interna talk with fellows on matters such as Moslems needing their own type of wurst etc. Interesting. The foreigners curse German judges and public prosecutors as Nazis and 'brown mass' – while the judges and public prosecutors label me as such!

Choir was good. Kretzer's birthday – will celebrate next time – I have to draw up another list.

After to the second floor again. More talk about Huby's disappointment – he must settle down! Submit physically but not mentally. Laiber is OK: he is a grandfather.

Friday, 22 October 1999

Hofgang with Klaus: his plans of transferring out have changed again – thinks it is worthwhile doing his 3-year carpentry course etc.

Talk with Polish-Russian and to Geiger about room transfers but that is not my job. The Turkish fellow's complaint about lack of books is brushed off. My claiming there is only one person in the library to cope with the demand is a matter for Sunday's Interna meeting. Zimmermann's idea of collecting for the Swiss boy in the USA jail is also a matter for Sunday's meeting.

Lunch – OK. After some letter writing – Art brought me a packet of envelopes, so I am now up to date.

Supper – OK. Mail from Oberlandgericht Karlsruhe – Haftüberprüfung – another three months!

Television and cooking: first with KI and KII – lovely Bratkartoffeln – then some coffee and cake. Later a brief stop at Tom's for a chat and some noodles. I am eating too much – legs not feeling good since Thursday's Drogensport.

News:

Schindler Koffer – Rechtsstreit between *Stuttgarter Zeitung* and Emilie Schindler. She is laying claim on it as the legal heir to his things.

*

Reemtsma Heir exhibition: a Polish historian claims the photos are false – that is what many have been saying. Discredits the seriousness of the Hamburg Institute!

Saturday, 23 October 1999

Good dream about family members then awake by 9 a.m. An overcast autumn day.

Hofgang: listening to Rencher's problems – exhibitionism gone bad.

Lunch is OK after usual Umschluß.

3.30–6 p.m.: sleep – and odd dreams about home.

Afterwards cutting up the paper with a focus on topics relevant to case.

News:

Ferrari team is OK for the final Grand Prix; Andreotti not guilty – 'mußte schweigen' (had to remain silent) – fancy saying this!

Note:

Most of the foreign prisoners here (about 70% of the prisoners) accuse their judges and public prosecutors of being 'Nazis', 'racists' etc. Ironically, that is what public prosecutor Klein accuses me of being, with the addition of 'anti-Semite'.

Freedom of speech in practice. The expression of my thoughts is my right and it should not lead to Alan threatening me with legal action nor Geoff feeling hurt and defensive. A robust democracy requires that we are open and critical with the aim of clarifying problems.

For almost six years I battled with Christopher Steele over the newsletters – it was a fruitful battle where the result was quality! It was hard for me initially to listen and take biting criticism – which later I enjoyed because I valued the energy Christopher put into knocking the material into perfection! Quality control is essential – as is our symbol and 'Viam Monstrare' (hands off)!

I do not tolerate bullshit from outside; that is, Phillip Adams who forced John 'ACLU' Bennett to sack Muirden because the latter had used ACLU letterhead and talked about 'the synagogue of Satan'. Muirden should have been given the opportunity to apologise publicly. He was not and thereby was not accorded a right of reply. Natural justice was not fulfilled. Likewise with Jack Selzer. Responding to outside pressure, Muirden sacked him. That is not necessarily a strength – we need to be firm in our views.

It was not an act of strength on the Adelaide Institute's part – we are outsiders whatever we do. I see this here in prison. We have most of the prisoners cowering and crawling and full of fear. It is painful. In our prison Interna representation three men are strong and fearless and three fear sticking out their necks (always within the legal framework – hence 'mutiny' and 'defamation' of prison personnel is not a possible charge – which the anxious three fear). We operate within a definite framework – and although some claim we have an alibi function for the prison director, we are going to use the position to get reforms through – reforms that are implemented in other prisons but not here – a rather backward prison.

The fact that Adelaide Institute supporters collected the legal fees for this trial is a matter which obliges me to fight hard – and I hope the donors have all, individually, been thanked for contributing to the cause. I may have to spend another year in prison – I am adjusting to that – but the newsletters must go on. The fact that numbers 96 and 97 are up is fantastic. At long last because we never had the focus for it. You put anything you like on the website – do not take regard about my being here – I shall wear everything – just make certain it remains factual and not religious history.

Back to Kai and Alan – why not work together even if at cross-purposes? Do not give me that shit – if and when I return with a couple of million, than we shall see who will work for us! At the moment we are all free enterprise, giving our time for nothing! The year 2000 will begin with newsletter number 101. That is a good reason to toast those who have made it possible – from cell 1313 I salute you all!

Sunday, 24 October 1999

Good rest but almost too tired for church. Voltz just does not inspire me to make any effort but as U-haft Sprecher I need to do my duty.

Hofgang with Hubertus and others. OK. Weather pleasant and the extra hour later makes all the difference.

Lunch is OK. Afterwards to the Interna meeting from 11.30 a.m. to 2 p.m. OK, all points discussed and ready for Friday afternoon's meeting with Winkler. Interesting snippet about Judge Kern's daughter – is it gossip or is it fact? Afterwards for an hour to KI and KII for the tailend of

Umschluß. KI has written a poem for Kratzert's birthday party on Thursday – wrote out copies.

Supper – cheese down the toilet. Then prepared for tomorrow's heavy day. Watched some television: elections in Switzerland, 4 600 000 voters – fear of Blocher's Volkspartei; Baden-Württemberg state community elections – CDU making gains over SPD but overall voting interest low, around 30%.

Monday, 25 October 1999

Restless night. Perhaps I supped too much sugar and so the mind just turned over the prospective field that needs quick ploughing.

Change of sheets. 7 a.m. Kammer – collected David's tube of Delva. Papers have been sent off to Judge Kern for censorship.

Hofgang then off to the visitors' barracks: Frau Ingeborg Mickisch and Ingrid and Wolf Scheuerbrand of Ludwigshafen. Strangers in a strange land for me – locals belonging to the republican party. A pleasant surprise – elderly individuals who do not fear the German political system. Then after a wait in the barracks, Bock turns up, and it is down to tin-tacks. Witness list is needed. Faurisson and Bennett want to come. But Röhler's thoughts align themselves with mine – this is an Internet matter where governments wish to control the free flow of information, and that is a problem in national states because we are actually internationalists and multinationals. We function in the free-market system of information. Only dictatorships wish to control the flow of information. They use the method of control: threat, punishment, corruption, profit and praise. On the Internet this method does not work. The liberation of the spirit is upon us – controllers are not even sincere and morally sound people. They wish to control because they are control freaks, something that is also sexy, according to Henry Kissinger! We saw this when Clinton wished to control the pornography sites and traffic but the USA Supreme Court knocked it out.

Back by 2 p.m. and rested until 3 p.m. suppertime – one slice of cheese and lovely apples from visitors' purchase.

Cooking/television on the fourth floor. I while away my three hours visiting the boys – Heinz Kiss is bubbling with his Internet knowledge and books about the demise of the nation state – will talk to him again. Handed the Polish fellow the item I typed out for him – work request. Roland Schottak, item about Springer workers having to sign up to support Israel if they wish to become a part of the world publishing empire.

Tuesday, 26 October 1999

Cool morning. Hofgang with the Palestinian with whom Cong and I arrived on 9 April. He is back in U-haft because he paid his fine with a 4-

month prison sentence. Says it is reasonable there. He refused to work although he did do some voluntary cleaning. On return to U-haft he was placed in a dirty cell and refused to enter it. Then he agreed to stay the night if it meant a single cell the next day. Now he is in 1334, my old cell and that of Hubertus, Klaus etc. The pattern of placing prisoners is emerging.

Kraftsport – only eight of us, four played football and four tennis. KII had to leave a little earlier because of a meeting with a notary outside the prison. Talk with sports fellow Wolf. His family comes from Chechnya.

Lunch is OK. Sleep until 1.30 p.m. Good dream.

2 p.m.: newspaper from Hauck; look through and again plenty for me to cut out. The old story is never going to go away.

Supper is OK then work on the birthday card for Kratzert for Thursday.

Umschluß with KI and KII – working on the program for Thursday evening, and practising songs on guitar. KI's Kratzert song and 'Geburtstagslied', instead of 'Happy birthday'. 'Geburtstagslied' is only D and A/A7 so I should be able to accompany the others on my guitar. Perhaps also when we sing 'Die Gedanken sind frei'

Bible Group – full house. Critical passages in Matthew – 22:21 (emperor-God) and 22:39 (love thyself, love others). The two biscuit baskets are emptied quickly as a dozen hungry mouths snapped them up while Pastor Kunzmann read through the texts. Interesting comments about Seele (the life hereafter) etc.

For a long time afterwards I could not sleep. Worked on my case approach and thinking it best to run it in the following manner: bearing in mind that any discussion of the factual nature of the case increases the risk of a further offence, the focus should be on (a) freedom of press; (b) academic pursuit; (c) Internet censorship; and (d) shut up and say nothing in court! I shall have to prepare myself without actual witnesses. After Klein reads the Anklageschrift (formal indictment), any defence on my part will merely criminalise me further – good night!

Wednesday, 27 October 1999

Tired because of late sleep: two films ending after midnight. Watched BW-TV's *Auf Gebeine Gebaut!* – the story of Stalin's attempt to lay a railway line into the Arctic Circle – terror in camps – and interview with survivors – just like KZ survivors – Alexander Solzhenitsyn all over again. ZDF-TV's *Albert Speer* – Joachim Fest's biography – Speer before the Nuremberg trial – 'guilty' for war effort but 'not guilty' for genocide of Jews. Fest comments about getting Speer's statement into a moral context: 'letzte Rätsel das sich nicht lösen lässt' (the last puzzle which cannot be solved). Speer, says Fest, has no viewpoint because he denies genocide. Fest rests his whole book on a false premise – thinks the gassings happened.

Did not do Hofgang this morning. Fellow comes in and wants to borrow my legal book; another wants me to write a letter for him on behalf of a fellow who is in isolation and now wishes to be sent back to Spain. Georg, from the prisoners' representative group is also in the wing, fixing wash basins. Later I collected the radio from Baker because of an indication that we may have a cell inspection coming through. Coincidence that I did not do Hofgang?

No Kraftsport – so focused on Friday's meeting with director Winkler and his team.

Lunch OK and after some mail. Letter from Jürgen – suggests Fröhlich come as a witness, as well as Faurisson. A note from Horst Lummert – convicted in Berlin for writing as I do about Birkenau – and he is Jewish. This makes me think I should definitely not say anything at all about the topic. Must not offend against the obnoxious and unjust Section 130.

Social Training Group – 14 prisoners meet. Through a game we all learned one another's names. It worked: Claudia and Uwe (the social workers) with Uwe, Marcel, Manfred, Klaus, Manfred, Fredrick, Victor, Gebow, Horr, Salvatore, Michael, Thomas, Shey and Dieter.

5–6 p.m.: Fish Group with Klaus II. Informs me he had a good meeting with Winkler – a second wing, third floor ruling depends on individual's behaviour. No trouble = benefits. What is new?

6–8 p.m.: on second floor with Wolfgang. Ended with a brief call in at Diehl to discuss my Friday meeting with the prison administration and what needs solving.

In cell watching ARD-TV's *Die Mauer: Wir sind das Volk, Wir sind ein Volk* (The wall: we are the people, we are one people). Then a talk about the Reemtsma Heir Wehrmacht exhibition, the defence force exhibition that has been travelling around Germany for about five years with the theme that Germany's defence force is a criminal organisation. Now the fraudulence of its contents has been exposed by a Polish historian. Pictures and text need corrections. Then ZDF-TV at 11 p.m. *Kennzeichen D: Böse und Banal – Hitler's Henker Eichmann*. This is a new film about Eichmann using footage from the Eichmann trial. I have my trial and I will not be sworn to tell the truth. It is expected I will be telling lies. What a justice system. The public prosecutor assumes he has a monopoly on truth – immoral. I shall not break a German law while in court – that is what I would be doing if I actually engaged in any kind of defence. I have to prove my innocence – but how? It is witch-trial mentality stuff.

Thursday, 28 October 1999

Room cleaning after 6 a.m. but tired so no Hofgang for me.

At 8.30 a.m. off to see supermarket Marx about the Moslem food offer. Been there, done that, he says, but he will look at it again.

Drogensport – football for an hour – good.

Shower then lunch and a sleep. Some mail – Stäglich, Henk and from Kern who will inform the prison authorities that I need not be shackled for my court appearance. I respond to Kern's letter with the statement that I do not intend to offend against a German law during court.

4.30 p.m.: with KI practising songs.

5 p.m.: choir – getting card signed by 15 participants and with the pastor off to church to photocopy the songsheet so we all have one – no excuse for not singing. A successful session. Kratzert waits outside while we have one practice then Klaus gets him and we sing the birthday song. I then make a few comments, including the five Bs on how to motivate people, something he has done so well here: Bedrohung (threat), Bestrafung (punishment), Bestechung (bribery), Belohnung (reward) and Belobung (praise). After we sup on orange drink and 'belegte Brötchen' (mixed rolls with fillings). Yum, yum, yum.

Umschluß afterwards with Tom and Hassler. To bed at 9 p.m. Watched a little television then sent my voting form for the 6 November Australian referendum to the embassy in Berlin.

News on TV about rumours that the German payment to national socialist victims was bumped up to DM10 billion, and that USA President Bill Clinton rang Chancellor Schröder about it. Confirmed by the USA lawyer, Hausfeld, that the offer was there. Otto Graf Lambsdorf denies this.

'Geburtstagslied'

Heute kann es regnen, stürmen oder schnein
Denn Du bist ja selber wie der Sonnenschein
Heute ist dein Geburtstag darum feiern wir
Alle deine Freunde feiern heute mit Dir
Alle deine Freunde feiern heute mit Dir
Wie schön, daß Du geboren bist
Wir hätten dich sonst sehr vermißt
Wie schön, daß wir beisammen sind
Wir feiern heut mit Dir Geburtstagskind.

(The Birthday Song)

Today it can rain, storm or snow
Because you are like sunshine.
Today is your birthday, that's why we're celebrating
All your friends are celebrating with you
All your friends are celebrating with you
How nice you were born
We would have missed you
Nice that we're together
We're partying with you birthday child.)

Friday, 29 October 1999

6 a.m.: awake call.

7 a.m.: call for shopping but I must wait to see whether my payments will come through this afternoon. Thinking freedom for a 'mündiger Bürger' (mature, responsible citizen).

Hofgang with the Palestinian for a while and then with a newcomer from Cameroon – only here three days.

Lunch: news of noon meeting with Bock. Slight clash with an Interna meeting at 1.30 p.m. Bock plans our plan and will be back on Tuesday.

Interna meeting in the committee room in the administration wing. Director Winkler and his team of six helpers, and Höflein and his Interna team of five – so it is 7 vs 6. The meeting initially was conducted as an open discussion then it got too involved with what is possible to change; for example, the food complaints, and the Christmas party arrangements concerning extra time with wives etc. When it was my turn, Winkler listened to my 12 points, then said a decision would be made on them afterwards. Democracy behind prison walls – a most difficult thing to realise.

5 p.m.: cooking on the fourth floor – Heinz and gang – interesting. What it is like to be with professional prisoners – they, too, have their views on life. Often the real crooks are still outside while these fellows were just unlucky or are the fall-guys for 'Mr Big'. But I arrived an hour late because I was delayed by Charley Akadu on the second floor. He is in total despair – wants to get out of prison after five months, not back home to Africa but to France through which country he slipped without papers into Germany. I somehow admire these refugees for having the courage and just taking off from home. It is a massive feat of personal initiative to come to Europe and attempt to survive here – for the sake of feeding his family back in Africa. He cried a lot and talked of suiciding – sad, sad, sad. I comforted him in the only way I could – talking, talking, talking.

Saturday, 30 October 1999

Good dream. Awake at 7 a.m. and I could not get back to sleep because of early to bed, so I practised the birthday song on my guitar. So when door opened at 9.20 a.m. for Hofgang, I slipped off to cell 1307 and serenaded Hans Nieth for his 44th birthday. I actually completed singing the song without relying on my sheet – no written prompt, only a slight fumble on the guitar. Still, I am tickled pink.

Hofgang with KII then with Cong. Afterwards, Cong, Baker and the fellow next door bring me goodies as a thank you for my assistance to them in their time of need.

Lunch and Umschluß with Hans Nieth in Rudi's old cell. Tom came in later but KII had business with Father Voltz. Afterwards, resting and

thinking, and writing letters, and preparing for tomorrow's Interna lunchtime meeting.

Sunday, 31 October 1999

Turn clocks back an hour now that it is wintertime in Europe. Restless night, must be the cups of coffee that I drank while sorting myself out and preparing for my exit from this place. Here is hoping!

Church with Pastor Kunzmann. Reformation Day – in 1517 Luther posted his theses and in 1521 he had to take the step of defending himself before his superiors.

Hofgang with controlled boundaries. That is an impertinence, rather childish to look for an invisible demarcation line. We must have our 'große Hof' (large courtyard) back, at least for the weekend. Even had the chief looking out the side door to see how this new control is being effected.

Lunch – television is full of Catholic-Protestant union celebrations – we shall see.

Interna – no comment, the internal bickering has begun.

Umschluß – good for an hour.

Supper – OK. ARD-TV about Christian guilt over Auschwitz. The death of Maximilian Kolbe after the invasion of Poland in 1939: starved to death in a cell.

Playing guitar and my fingers are hurting but I force them to work harder still. Another cup of coffee, another cup of vitamin fizzy and the last Knäckebrot slice while surfing the television looking for a sign!

Monday, 1 November 1999

A mixed bag of dreams but nothing extraordinary. Awoke a few times, body aching a little. Either too much sleep or still from excessive exercise. On BW-TV the 10 May 1933 burning of books in all universities, according to Telekoleg Deutsch. National socialists want to ausrotten (exterminate), do not want any Literaten (literary) figures anymore. The new Dichter (poet), Volk (peoples), Stamm and 2000-year history; Volkerziehen (to educate the people). Suppress any other literature, Heinrich Mann, Erich Kästner etc. About 2500 writers left Germany. Ernst Toller suicided in New York and Kurt Tucholsky in Sweden. A new beginning for German literature in 1945 – some would think not!

Church – Father Voltz had to manage without his zombie help, except for the Protestant helper who assisted outside but not with the reading during the service. Again about 20 attended – the usual hardcore that attends both services.

Hofgang alone then with Andre. Was first at the door – just there as the call 'Hof beendet' comes through the loudspeaker from the Zentrale.

Lunch then into cell 1307 with KI and KII – Hans is a Skat fan and so my first real lesson. Will have to think more about the game, more than when playing Mau-Mau or Rommé.

Supper – the bread box fell over and so the prisoners immediately approached me to ensure we got a new load. It happened.

The fellow next door showed me photographs of his wife and family, and the bundle of 12 letters that he received all at once.

Afterwards watching a 1996 television story about a Black Forrest cameleer who has connections in Abu Dhabi who wished to have someone trekking through Germany advertising their country as a tourist resort. Did he ever succeed?

In my mind I am running through the possibility of commenting about the Karlsruhe Tafel – the charity organisation, just what David is doing in Adelaide – charity work for the needy in Germany. Then another point: no sport for prisoners on remand – needs to be told. And I am angry because I could not attend Mannheim's 'Der Ring des Nibelungen'!

Tuesday, 2 November 1999

6 a.m.: washing.

8 a.m.: no Hofgang because of a little rain. Not good enough for me – I want to get out. So, instead coffee with KI and KII until Drogensport when we played tennis and volleyball.

Lunch then a brief shower and rest until 2.30 p.m.

3 p.m.: supper and reading newspaper.

Umschluß with KI and KII until 7 p.m. Then Bible Group – John 23 about the Pharisees and a lively discussion with 14 participants – good fun. Interesting how Tom and the others throw in their comments – shows how each one is wringing his hands, how each one is developing a moral framework in which to tuck away his self-image until Kant's Categorical Imperative is struck.

On return, news that Bock will be here tomorrow at noon. ZDF-TV's *Frontal* at 9 p.m.: item about Blocher. Elan Steinberg of the World Jewish Congress warns about the Blocher phenomenon because of Blocher's good words about Jürgen Graf's book! Werner Schnapper, assistant editor of the *Sonnstagsblatt*, blew the whistle on this Blocher–Graf connection. We shall see whether they can break Blocher.

Wednesday, 3 November 1999

Awake in time for the 6 a.m. envelope collection service.

8 a.m.: an initially hesitant but then enjoyable Hofgang – weather crisp. A delightful walk with Everett Baker – old Powell boy! Has an interesting

perspective on world events – from Clinton to Gulf War, from Reagan to German justice.

No Kraftsport – with the Arab to Geiger for a telephone call etc. Then a cup with Wolfgang – his story. Instead of national service he served in a psychiatric hospital. Later a cup with Diehl. Immediately afterwards to lunch at 11 a.m. then at 11.30 a.m. to see Bock at noon – a brief call: disaster – no defence!

Social Training Group – 15 participants – only want 14 there and so I volunteer to leave, which I do after the ‘flashlight’ exercise in which I mention my legal predicament: If I say something in my defence I get extra punishment. I tell the truth as I see it and I get punished. I say nothing and I get mentally raped by the prosecution. This is a sad day for anyone who has a sense of justice. Convenor Horr and his mate did not really wish me to leave the group but then I said it would be better for Hans Miedt to join. After all, I have been through the group before the summer holidays. Klaus II there but most likely for the last time because he is moving out of the remand block into the sentenced prisoners wing.

Upon returning to my cell I see Winkler and März outside the first wing, third floor on their way to the office – and I openly asked Winkler about what I may expect to receive from him re the requested list. He says that März will talk with me by the end of the week about these matters, as will also Frau Herzog who is back from her holidays. We shall see. I shall use the opportunity to say something appropriate next Monday, if that is possible.

Supper and a little rest afterwards until 4 p.m. when Laiber finally closes the door. I then clean up – I am packing up, I am closing down shop and am preparing myself for an exit from this home of seven months.

Thursday, 4 November 1999

No Hofgang but Drogensport – basketball.

Lunch and ready for visitor: Eric Rössler – good to see him again; afterwards wait there for 12.30 p.m. to see Bock who has quit as my counsel (‘legt sein Mandant nieder’). After speaking to Kern about it, he is now my court appointed defence counsel (Pflichtverteidiger). *Time* magazine for 8 November 1999 has an article about my case: it is OK but it is abuse and not a dialogue with me.

Supper afterwards and preparing for choir – good show – copy of birthday card for most – mail also from Rudi. In the evening I watch an ARD-TV program about the fall of the Berlin Wall – *Als die Mauer fiel* – and the 50 hours that changed the world, how the people simply changed the regulations by moving through the checkpoints. Can be done in other spheres as well: for example, this gas chamber lie.

Friday, 5 November 1999

Good dreams – interesting and lovable thoughts! Sent off 13 letters. Room cleaning and cup with KI. Bernd's birthday.

Hofgang is OK with Leitmann, Laiber and Mackert – a good team.

Lunch is OK. Reading and preparation for Monday. Looking at the newspapers: lots of material. Lots of mail as well.

Umschluß after supper to 5 p.m. First half with guitar; second half to fourth floor to celebrate, in appropriate style, Bernd's birthday – excellent. Afterwards back to our floor and counselling Thomas. Letter to RA and the judge in Heidelberg re the failed attempt/forgotten/lapsed appeal date etc. Sad. Then read Peter Sloterdijk's *Regeln für den Menschenpark* (Rules for the human park) which Eric Rössler obtained for me.

Klaus Wiesler ready to transfer to the wing for sentenced prisoners after the weekend.

Saturday, 6 November 1999

Hofgang, walk with Hubertus who is speculating on his exit from here. In order to do that he will have to offer the judge an admission of guilt even though he says he is not guilty.

Lunch is rather late so complete writing letters for fellows who wish to continue appealing against judgments.

Umschluß with KI and Hubertus at KII's who is out of remand next week and into the sentenced prisoners wing.

Supper – milk with sugar heated up with the Tauchsieder instead of bread, cheese and mustard. Not too well later on that drink.

Australia voted against becoming a republic – God save the Queen of Australia!

Watched a BW-TV film about eugenics in the Third Reich, *Die Schatten der Vergangenheit* (Shadows of the past), presented by the Josttal acting group in order to stimulate discussion. Fancy that, they are permitted to upset!

Laufzettel for Monday – be at court at 9 a.m. – hmmm!

Sunday, 7 November 1999

7 a.m.: awake before the knock on the door – I gave the warden the letter for Tom.

Church – about 25 of us heard Pastor Kunzmann's message of hope.

Hofgang – raining but good.

Joined KI, KII and Hubertus afterwards and played Skat.

Lunch – OK.

Umschluß in cell 1313. My farewell but off for a final Interna meeting. Mohr message from Conny. Yes, that is the freedom I have above the others because it is a pleasure being able to help others.

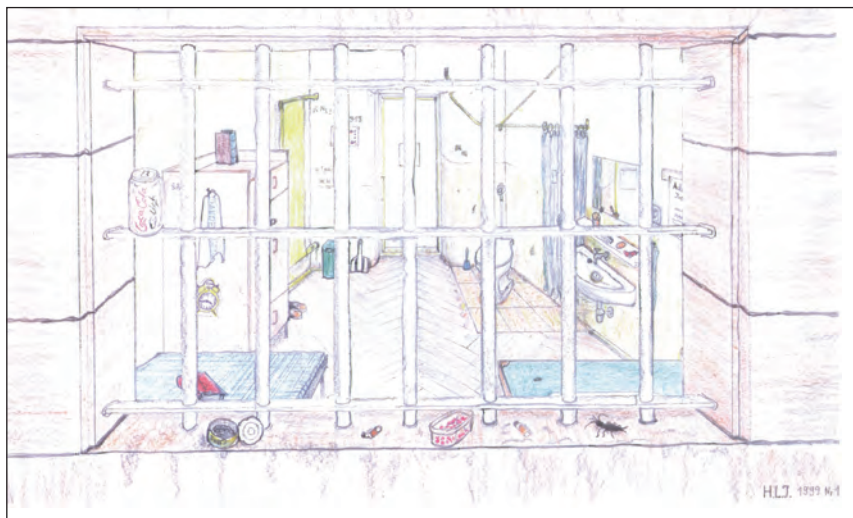
Supper, then restless because of tomorrow's matter.



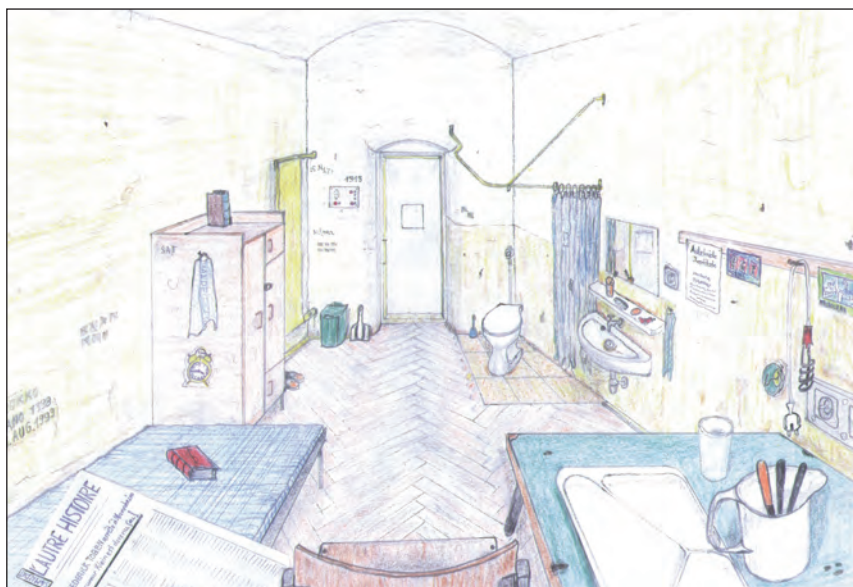
What is this? Presley in Holland!



Gracelands in Holland? Yes. The facade was constructed by Hubertus Lehnert, my fellow prisoner at Mannheim – a true Renaissance man.



My cell as drawn by Hubertus Lehnert.



The interior of my cell.



Eric Rössler and the author in 'conspiratorial' mode.



My visit to Radio Regenbogen for an interview. The station had sent a news item about Israel congratulating Mannheim's public prosecutor for arresting me.




With Jürgen Grässlin (right) at a meet-the-author evening hosted by the local Pforzheim Radio Station. Grässlin's biography of Jürgen Schrempp, the boss of DaimlerChrysler, is quite critical of him. When he celebrated free speech in Germany I informed him of my 7-month prison term.



Visiting Günter Deckert on his weekend home from prison.

Chapter 16



After Seven Months – The Trial

Monday, 8 November 1999

Restless night thinking about what to do, what to say – if possible.

6 a.m.: awake.

7 a.m.: coffee with Klaus I.

8 a.m.: off to transport with KI, then a single transport to the court.

9 a.m.: in the Landgericht after spending about 15 minutes in a windowless cell above the courtroom and five minutes with Bock. No handcuffs. In court are Rössler, Röhler, Edwards and Bahner – the latter with a message from Paris.

9.25 a.m.: Bock reads out his statement that he will remain silent during the proceedings. Kern takes my particulars and asks me whether I intend to participate. I state that I shall not say anything. Then silence from Bock and myself.

Klein then begins to read out the formal indictment and ends at 9.57 a.m. He mentions all sorts of things and repeats the matter about Töben and Toeбен. Fortunately he cannot criticise my doctoral studies because it would have pleased him had I one of those USA doctorates that the Federal German Ministry of Culture does not recognise. He relies on a Hitler law that requires anyone with an academic title to have it checked out, then registered with the local police. The fact that mine is from Stuttgart University must tempt him to invoke the Hitler law that enabled the University of Göttingen to revoke Dr Wilhelm Stäglich's title in 1983 on account of Stäglich writing *The Auschwitz Myth*. Stäglich advised me that this revocation was only partial – he still retains the parchmented degree. No doubt Klein has his eyes on having my doctorate revoked from Stuttgart University. But then Professor Elisabeth Walther-Bense, the second person involved in my gaining this academic honour, would not agree to such a move. In April 1997 she advised me that it is legitimate to ask questions about the alleged number of Jewish deaths.

Klein also makes an issue about the Adelaide Institute hosting the first-ever revisionist symposium in the southern hemisphere in Adelaide in

August 1998, where all the important revisionists attended or were brought in via a video presentation or a telephone link-up.

Kern asks, 'Any questions?', but no response from us.

Then the Beweisanträge (submissions): Judge Burk from the Amtsgericht, read by Kern. An adjournment at 10.12 a.m. and I go back to the cell until 10.45 a.m. Kern confers with his offside, Judge Schmetzer – 'In Augenschein wird genommen' and 'Es wird verlesen ...': the first is, literally, looking at something without comment while the second is reading out the matter.

Kern looks at the first three of the five allegations together (Appendix 32). For 'Images of Auschwitz' he reads out 'Eindrücke von Auschwitz' (impressions of Auschwitz). This includes Dwork and van Pelt's comment about Krema I being a symbolic representation of the homicidal gas chambers at Auschwitz-Birkenau. Another deceptive translation: the Entlausungskammer (delousing chamber) is translated as gas chamber. Why? Part of the Adelaide Institute's newsletter no. 86 is read out as the fifth allegation.

Then at 11.25 a.m. Schmetzer is fiddling with the folders because he is looking for the Bruchsal matter that is not there. So a short break of 20 minutes.

11.25 a.m.: the fourth allegation, my open letter to Clapiér-Krespach is read out, together with the list of recipients, including Hans-Heiko Klein (at the Karlsruhe prosecutors' office). The translation is not there and Frau 'Glubschy' says she will do it by Wednesday.

The Deckert judgment is read out and the article on the Deckert controversy, including his question to Max Mannheimer in a letter on 6 August 1997. Deckert also mentions the now-discredited Wehrmachtsausstellung – good point. The judges do not realise that they are shooting themselves in the foot by doing this. But I forget that truth is not a defence in these proceedings and evidence is not privileged either. The Deckert letter was let through the Bruchsal censor, Frau Förster, and so Deckert copped it in the neck with a defamation action – just for asking questions. The Karlsruhe Landgericht judgment was handed down on 1 December 1998 and the Berufung (appeal) was lost before the Oberlandgericht. The same court in Karlsruhe then rejected the revision on 9 March 1999.

12.15 p.m.: A funny thing happened when Klein submitted part of my correspondence with Jamie McCarthy, then of Nizkor (see Appendix 33 for the complete letter). Why did Klein do that? It unequivocally reveals the 'Denken und Handeln des Herrn Töben' (thinking and action of Mr Töben). The part selected as evidence is a long letter I wrote to McCarthy in 1996 wherein I detailed the revision of the 6 000 000 down to 4 000 000 Jewish death figure from 1962 to 1996. My chronology relied on memory,

together with a re-reading of my diaries for those years. Judge Kern begins reading the diary extracts and hands over to Judge Schmetzer when he gets to the end of 1990. Schmetzer continues reading 7½ pages until 1992 then, in exasperation, at 12.45 p.m. he slaps his right hand on the bar table and exclaims, 'Do I have to continue with the reading of this material?'. Kern helpfully indicates it should stop. Klein quickly agrees that the thrust of its contents has been aired in court. The court then adjourns for lunch.

12.45 p.m.: lunch. Rössler informs me that he will be back on Wednesday.

2 p.m.: 'Fortführung der Verhandlung' (continuation of trial). Only 12 of the more than 50 people return. My letter in response to Penelope DeBelle's article is read out as it was confiscated and never sent, though I did get another copy out as soon as I heard of the confiscation. I do not like such glaring censorship. Schmetzer has problems reading the letter.

Jürgen Graf's letter to me, the one I never received, is read out. Graf admonishes me – on behalf of other revisionists – for having visited Klein. In Klein's words this letter proves that I am a 'führender Revisionist' (leading revisionist).

Then my letter to Professor Ulrich Sieber (University of Würzburg) who wrote a legal piece about my situation and how it raises the problem of controlling the Internet using German laws. His conclusion is that German law cannot control overseas websites. I had written to Sieber on 28 July advising him that I would not participate in this trial because I consider it to be immoral.

The Wimmera Mail-Times article is read out by interpreter Lubitsch without prior notice. Then at 2.45 p.m. Kern and Schmetzer flick over pages and pages while they natter away about things that were inaudible to anyone else in court.

My travel diary is read out – the meeting with Pressac on 31 March, as is my letter of 6 September to David Brockschmidt in which I talk about the 'push-pull' technology and raise the issue of moral and intellectual freedom. Then at 3.05 p.m. the judges end the show and I am in my windowless cell until 5.15 p.m. waiting for a return transport. I arrive back at prison at 6 p.m. then have Umschluß with the usual and watch the television news on RNF-TV. Sure enough, an item appears. I am labelled an extreme right-winger, an Ewiggestriger (someone living in the past). I formulate a letter of protest for posting tomorrow.

The view of the trial by Ernie Edwards of the Australian Embassy is in Appendix 34.

Tuesday, 9 November 1999

Restless night thinking all sorts of things after writing letter to RNF's Volker Hurre.

Awake call and cell open until 7 a.m. for Kammer: all my mail that has been withheld from me is there in a box, including the stamps.

Hofgang with Conny, the fellow who knew the prison before all the foreigners spoilt it for Germans, so he says. Before that, he says, it was possible to operate within a trust system but the foreigners abused it by escaping from sports and running off into town. Conny thinks I will get a long sentence because of the politics of it all. The common thief's problem. If he does not confess immediately, the charge is upgraded by claiming that it is theft and assault because he threatened a policeman. If that does not work, then it is assault with a weapon, that is, boots. And so the petty criminal confessed to his lesser 'crime'.

The fellow from cell 1003 is with us and after Hofgang I join him for a cuppa. One of his other cellmates wants Bock as his defence lawyer. Then a call through the pa system looking for me: Geiger wants me in his office. Welfare officer Frau Herzog there to discuss matters I raised in my letter about the fourth floor not being permitted to attend church and the discussion group. Then back to home base on the third floor but not to my cell because Klaus I is brewing coffee. The *Mannheimer Morgen* article is there: reasonably neutral and mentions the crucifix and rocket analogy but no gas chamber in the Holocaust museum. Good.

Lunch. Writing these notes. Tired so rest and wonder what all this will bring. Yesterday's Radio Regenbogen continues reporting my case - I need a transcript of this.

2 p.m.: Himmelmann arrives - a visitor. I am shaken out of my nice sleep. I dash off with Himmelmann and another prisoner to the visitors' barracks. Klaus II is there waiting for his Rita. Röhler is waiting for me. The plan now is to get a new defence counsel, Dr Thor von Waldstein, who will possibly be able to open up the issue, away from the historical topic and back to the legal question of the Basic Law guaranteeing free speech. So, once back in my room I turn my mind to a statement that I can read out tomorrow before the court begins. It should be borne in mind that I was arrested during a conversation - and such basic freedoms should be protected by the Basic Law. Thus the trial may continue into the year 2000, and I had better prepare myself for anything but an early release. Will have to inform Kern that I gave the whole matter considerable thought throughout two nights in my cell.

Fish Group with Klaus I and Klaus II.

And then I type my thoughts ready for tomorrow's action.

Wednesday, 10 November 1999

Do not feel like writing anything today but the documentation speaks for itself.

The day begins as usual and I am taken to court by the courier service – a small car all on my own again.

Klaus Huscher is here today. (On 24 November 1999 he heads his court report in his *Denk Mit*, ‘Von Australien über Auschwitz in den brd-Kerker – ein wahres Erlebnis im Jahre 1999’ [From Australia via Auschwitz into a frg (Federal Republic of Germany) prison – truly an experience in the Year 1999])

As the presiding judge opens proceedings I rise and request permission to make a statement, which he grants. I read out my night’s thoughts – in German:

Statement of Fredrick Töben To Herren Richter Kern/Schmetzer, Landgericht Mannheim

At the end of the first day I had time to think about my situation and thought that I should put up a fight, and not go down with a whimper. So on the second day of my trial before proceedings commenced, I read out the following:

1. It is painful for me if I let myself be forced to be silent, especially if it concerns seeking clarification or solving problems.
2. I regard this trial as state-sanctioned mental rape of my person.
3. Through a lifetime of philosophical studies I have liberated myself from my own ignorance thereby not shying away from becoming a citizen who voices his concerns and takes a moral-ethical stand against injustices.
4. After I left the court Monday afternoon I reflected a lot on what was happening in court. I also saw the RNF television news, how reporter Volker Hurrle insulted me and incited hatred against me. Yesterday morning I read the articles written by Ulrich Willenberg in the *Frankfurter Rundschau* and the *Rhein-Neckar-Zeitung*, that also offered an ideologically distorted picture of my endeavours, and thereby defamed and incited hatred against me.
5. Every thinking human being is a revisionist – revisionism is nothing but a method, an heuristic principle, with which to construct one’s world view. Opinions are constantly revised through a free flow of information. Only encrusted minds cannot absorb new information and so moral responsibility does not come to the fore. Then citizens like I are arrested in a private discussion and thrown into prison.
6. I revised my plans last night when I heard German President Rau’s address given on the occasion of the 10th anniversary of the fall of the Berlin Wall. Rau said no one is expelled from

Germany for disagreeing with the government's opinions. He also talked about freedom and how justice requires such. I now add to that, in Germany there is a basic law that protects my human rights. I therefore request that I may defend myself in this court with a new lawyer – Dr Thor von Waldstein.

7. I am now in my eighth month in Mannheim Prison and I have gained many impressions about the German judiciary. I was also elected spokesperson for the 250 prisoners on remand, and I hear how many prisoners insult prosecutors and judges as 'racists' and 'Nazis'. State public prosecutor Klein – that is the irony- also defames me with these words. He even decorates his office wall with a swastika!
8. I see how prosecutors and judges order that prisoners on remand be placed in their cell for 23 hours a day – they are treated like convicted prisoners and not as innocent persons. Convicted prisoners are better off than prisoners on remand. They are not even allowed to participate in the church service and in the Bible Study Group. This is human rights abuse – the prevention of exercising one's religious belief. Why do Messrs Volker Hurrle and Ulrich Willenberg not focus on such injustices?
9. I have no criticism to make of the Mannheim remand personnel. The staff there attempt to do their best in coping with a difficult situation, but they can do only so much and they are often just overburdened.

Judge Kern confers with Judge Schmetzer. Defence counsel Ludwig Bock is asked whether he knows about this matter. Bock says no. Kern then adjourns the hearing and requests that Bock accompany both judges to confer on my application. All three leave the courtroom, then at 11.45 a.m., 15 minutes later, they re-enter the court. Kern advises me that my application to have Bock removed is not granted. In any case, he says, a call to Dr von Waldstein indicates he is too busy to take on this matter. It appears that this no-confidence application of mine has caught Bock and the judges by surprise.

The prosecution now calls its first and only witness, Wolfgang Mohr, the state security officer who handled my arrest. He informs the court how I had come to Germany to seek a dialogue with prosecutor, and that I had indicated to Klein that there was a discrepancy between the story of the gas induction holes and what is physically found at the Krema II site. Mohr also reported on how he downloaded the Adelaide Institute material. Judge Schmetzer asked him whether one has to actually look for the material. This Mohr affirms. It seems to be of importance to the judge, and Professor Sieber's argument about 'push-pull' on the Internet has entered the argument, much to Klein's discomfort.

Judge Schmetzer actually makes an issue of it, something Klein hates. It concerns the actual dates on which the material was published on the home pages, something that is not easy to determine, and so the judge uses the Latin, 'In dubio pro reo'.

The court then adjourns for lunch. In my cell I am offered some tea, a sandwich and an apple. I munch away on the apple and enjoy a cup of cold tea. I lie down on the wooden bench for a rest and time passes quickly. Then the police officer collects me again and we enter the courtroom at the only other entrance besides the public entrance – from behind the judges' bench. As I enter I see Klein rising from his chair, and I looked back thinking the two judges are following us in. But no, there is no-one behind us. I recognise immediately that this moment needs to be celebrated. I say to Klein, 'Bleiben Sie sitzen, Herr Klein, das kommt später' (Remain seated, Mr Klein, that is for later). The whole courtroom fills with laughter and Klein sits down, and recognising the joke, he lets a smile escape from his grumpy face.

2 p.m.: When proceedings resume Judge Kern reviews the arrest dates and other legal issues, then invites prosecutor Klein to close his case. Klein begins with a heart-rending story, saying that only after telling it, will he tell us where it has been taken from. It is an episode within the Auschwitz-Birkenau complex, about gassings, about two, yes, two gas insertion holes in the roof. I muse to myself that here we have another story about these holes, but it is only two holes now. Klein then reveals the source of this story. It is from the 1964-65 Frankfurt Auschwitz Trial. This is interesting for me because that would explain why we have those two crudely chiselled holes in Krema II's roof. But has not the story now progressed?

Klein continues to heap abuse on me – what a terrible person I am, I do useless work and all I wish to do is rehabilitate national socialism. The 'brown' tide is ever increasing, especially on the fertile Internet, and Jews are already sitting on their packed bags. The audience becomes restless, not because of the content of what he is saying but rather how he is physically presenting himself. Klein's casual attitude sees him hand in jeans pocket and softly mumbling his words so that it is difficult to understand him. He continues with his diatribe, saying I am incorrigible, and thus deserve at least 2 years and 4 months. And no suspended sentence either, because 'it is obvious that the 7 months on remand have had no effect on him'.

Presiding Judge Kern then asks Bock to respond. He declines by simply saying, 'I thank you'. When he asks me if I wished to respond, I too decline and reply, 'I have nothing to say'. The court rises and adjourns for 4.15 p.m. But it then hands down the judgement at 4.30 p.m. Kern sentences me to 10 months in prison without suspending any portion of it but adds that I could immediately be released on posting DM6000 bail.

I find this a little disturbing because I did want to spend the night in prison for the farewells that need to be made. As the court rises I walk over to the judges and shake their hands – also the Schöffen (the two citizen representatives) – saying that I harbour no hard feelings about the judgement because they are themselves in a prison. Kern advises that it

is not usual for him to shake a sentenced prisoner's hand but then says he will make an exception in this case. I look for Klein but he has already left the courtroom and I am not permitted to enter the court foyer where the media is waiting to interview Bock and Klein.

I do manage to speak briefly with Eric Rössler, Andreas Röhler, Klaus Huscher and, of course, Ernie Edwards about the bail money. But then the court orderly warns me to desist, and takes me back to the cell.

Well, it is over. I am somewhat relieved and now I actually yearn to get out of Mannheim and continue my work. I sit in the court cell for another hour before being transported back to prison by a Sammeltransport – a large van for 12 prisoners, though only four prisoners occupy it today.

As I return to my floor, the prisoners are smiling at me because they have already heard about the sentence on the radio and television news. We jest a little. It is shopping day tomorrow and so some fellows want me to spend the money that is still on my account. I agree to that, then silently thank all those who sent me money, those who made it possible for me to live here in reasonable comfort. Without money and without being able to buy those little things to eat and drink, it would have been more painful here than it was.

I am exhausted. I have an early night watching television, mindlessly flicking through the channels and thereby watching about six films at once, until that drugged feeling of overpowering sleep relaxes me.

Ernie Edwards' report on the second day of the trial is in Appendix 34. At the time I thanked the Australian Embassy for attending the trial and for its consular assistance during the preceding eight months. To that now I can only say – thank you, again, for having been there.

SOUTH PACIFIC

Putting Race Hatred Laws to the Test

An Australian who says the Nazi Holocaust was a Jewish "swindle" faces trial next week in Germany

By LEORA MOLDOFSKY

WAITING IN SINGAPORE FOR HIS connecting flight from Adelaide to Frankfurt in February this year, Fredrick Toben couldn't resist sharing his "good news" with a German couple. The Third Reich and its accomplices had not systematically exterminated six million Jews, he said: the gas chambers at Auschwitz and other Nazi concentration camps were a hoax. The Australian Holocaust revisionist thought the Germans would welcome this information; instead, noted Toben in the diary of his European tour, the husband became agitated and fled.

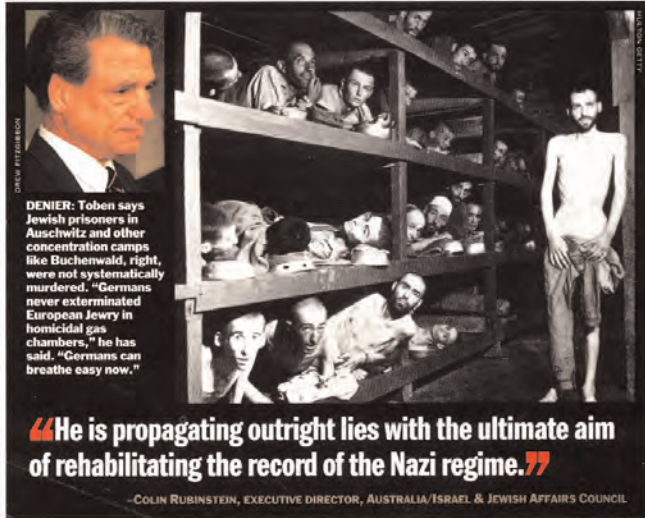
That "study tour" of the U.K., Poland, Ukraine and Germany ended abruptly when Toben, the founder and director of the Adelaide Institute, Australia's most notorious anti-Jewish, Nazi-genocide-denying organization, met with German public prosecutor Hans Klein in his Mannheim office on April 9. Arrested on charges of inciting hatred against segments of the population and defaming the memory of the dead in print, speech and on the Internet, the German-born former schoolteacher and bus driver will stand trial in the southwest German city from Nov. 8. If convicted, Toben, currently in custody near Frankfurt, could spend up to five more years in prison. Institute colleagues and revisionist historians like England's David Irving claim that Toben is an innocent abroad, a political prisoner and martyr to historical truth. But they would be hard pressed to find much support outside their own circle.

The Nazi attempt to exterminate Jews from Germany and occupied countries—

documented by its perpetrators with meticulous records—is widely recognized as an almost unimaginable crime; the very emblem of evil in the modern age. To the Adelaide Institute's acting director Geoffrey Muirdeen, however, it is "well-attested historical truth" that the gas chambers

historian. Neither are most of his revisionist cohorts. Says Robert Manne, associate professor of politics at Melbourne's La Trobe University: "Not one of them has any historical training, except David Irving, who has not written anything that comes within a cooee of scholarship on the Holocaust." Manne says that when he was editor of the conservative Australian journal *Quadrant*, he was deluged with newsletters from the Institute: "I doubt whether I have ever seen anything as disgusting."

Germany is determined to take strong action to prevent the rehabilitation of National Socialism; it's a federal crime to deny or play down the Holocaust's existence by using the so-called "Auschwitz lie." In the wake of the law's implementation in 1994, several neo-Nazi leaders were arrested and convicted, among them American Gary



which effected much of the killing "are a propaganda myth perpetrated by Zionists." It's a view that is given ample expression (by Toben and others) on the Institute's website, which characterizes the Holocaust as "an allegation" and accuses the Jews—whose religious teachings it says "condone lies, brutality, pedophilia and the sadistic killings of Christians"—of inventing the Holocaust "to swindle the world."

Toben has admitted that he is not a

Lauck, who served a four-year sentence for sending anti-Semitic literature and videos to Germany. Sympathizers consequently watch their words and keep a low profile, while revisionists like Irving, who was convicted and fined on a previous visit, now stay out of the country.

Toben, however, was eager to publicize his visit. Before leaving Australia he alerted several German judges and even went to the trouble of arranging his meeting with Klein

TIME, NOVEMBER 8, 1999

43

An extract from the overseas edition of Time magazine which carried this report, dated 8 November 1999.

Geschäftsnummer: 5 KLa 503 Js 9551/99	Ausfertigung
	
Landgericht Mannheim	
- 5. Große Strafkammer -	
Im Namen des Volkes	
Urteil	
In der Strafsache	
gegen	
den am 02.06.1944 in Jaderberg/Oldenburg geborenen, in 23 Caloroga Street, Adelaide/Australien wohnhaften, geschiedenen Lehrer australischer Staatsangehörigkeit	
<u>Dr. Gerald Fredrick T o b e n</u>	
hat das Landgericht - 5. Große Strafkammer - Mannheim in der Sitzung vom 08. und 10. November 1999, an der teilgenommen haben:	
Vors. Richter am LG Kern als Vorsitzender,	
Richter am LG Schmetszer als beisitzender Richter,	
Christa Ehmann Ronny Kriek als Schöffen,	
Staatsanwalt (GL) Klein als Beamter der Staatsanwaltschaft,	
Rechtsanwalt Bock, Mannheim, als Verteidiger,	
JOS Wießmann als Urkundsbeamter der Geschäftsstelle	
für R e c h t erkannt:	
U 1999 199	

The Töben judgement in the name of the people (das Volk)! At the time of completing this book the appeal date had not been set.



My home for seven months, from the car park outside.



Pointing towards the prison church, from the outside!



Eric Rössler with the author in front of the Mannheim Prison gate.



Eric Rössler addressing his party's faithful.



Germans who are Germans: three who visited me in prison.



Klaus Huscher, a German who believes that the German Reich still exists de jure.



Snowing at Dachau: it is wonderful for me to feel the snow.



Tidua Rudolf and a lady friend who is still a heavy smoker at 83 years of age. Rudolf accompanied Fred Leuchter to Auschwitz in 1988.



Udo Walendy and his wife, Margarete, who visited me in prison. Herr Walendy is currently spending his second term in prison 'for the things he did not write'.



Andreas Röhler who visited me a number of times in prison.



My second professor from my Stuttgart student days, Frau Dr Elisabeth Walther-Bense, in 1997 when she advised me that it is legitimate to ask questions about the 6 000 000 alleged deaths.



Gerd Wedemeyer who kept me informed about the Iranian broadcasts that dealt with my imprisonment.

Chapter 17



Freedom – 11 November 1999

Thursday, 11 November

At 3 a.m. UTC the English radio news service of Deutsche Welt – broadcasts the following:

A court in the German city of Mannheim has sentenced the far-right German-Australian Fredrick Töben to ten months jail for denying in publications the murder of millions of Jews by the Nazis. The 55-year-old Töben, who had also published his claims in the Internet from Adelaide, has already spent seven months in custody. He was arrested in Mannheim in May (sic). The court found him guilty on charges of incitement and insulting Holocaust victims in an open letter distributed by normal mail. Prosecutors, who'd sought a longer 28-month term, said they would appeal to a higher court.

*

I AM BACK! A big thank you to all those who have made my prison stay at Mannheim an educational experience. Would I do it all over again? Yes, yes – freedom of speech is worth fighting for. I scoff at those armchair critics who merely talk about it – and we have a number of these fellows in Australia. In particular I am reminded of Phillip Adams who begrudgingly proclaims that freedom of speech is worthy of defending. Yet, he will continue to talk about me but not with me. So, old Phillip, continues to persecute and sling mud at those who threaten his conceptual framework. He, like prosecutor Klein, would love nothing more than to silence those who do not share his world view. Like Jeremy Jones, Adams wishes ‘to stop me from functioning’ – and that is very sad, very sad indeed.

Little sleep throughout the night. Yesterday at 5 p.m. Judge Klaus Kern sentenced me to 10 months in prison, but bail of DM6000 will get me out of here. Someone is collecting for me – and I will know more this morning. The 6 a.m. call sees me already awake and I request permission to clean my room before our 8 a.m. courtyard walk. It is granted and my door remains unlocked. This gives me the opportunity to complete my farewell program – morning coffee and cake with Klaus I and Klaus II with whom I have spent over six months – despite our ups and downs, we are like brothers, like a family. My door lock I hand to Hubertus who is already lined up to go shopping. I give Cong my remnant tea and toiletries and hope he, too, will be out soon. We arrived together at the

prison on 9 April. Tom I bid a special farewell in the hope that the dialysis treatment will save his life. Bernd is still doing his excellent job as the cleaner on the fourth floor. He will continue to look after the 'heavies', those prisoners who are locked up for 23 hours a day. They are not even allowed to attend Sunday church. It is all a matter of breaking them so that they will confess to something they may not have done. German justice is in trouble. But is that not also the case in Australia where remand centres are bursting at the seams? Such a state of affairs ought to bring about a new way of looking at incarceration. KII is also off this morning – out of remand and into one of the wings where sentenced prisoners serve out their term. I give him my guitar. A sad day – both of us will leave KI who faces an uncertain time worrying about his developing MS. Hans will take our place and KI will have another Umschluß mate. It is shopping day and hence traffic from all floors is brisk. This gives me a chance to move from floor to floor and say my goodbyes. I hand over my U-haft Sprecher file to my successor, Bernhard. Everett returns my radio – he, too, is out today after a few months in which the police could not link his USA Forces petrol coupons to a \$1 000 000 coupon robbery.

I continue to pack my things. Hofgang is a conscious matter for me – it will be my last brisk walk of the day. Upon my return I make my way to Herr Geiger's office – the boss has the only telephone line out, and it is time for me to give lawyer Bock a call. I advise him to get the bail arrangements into place – I now want to get out of this place.

10 a.m.: I am advised I have a visitor – Ernie Edwards of the Australian Embassy. He had attended the trial – something I appreciated. Although I did not get the special treatment of the Australians who were arrested in Serbia – Alexander Downer did not have time to call in at Mannheim, a game of cricket awaited him in England – I appreciated Edwards' visits, just on one a month.

Edwards and I are seated in one of the five rooms in the visitors' barracks when Bock arrives on the scene. Yes, it is now official. The bail money did not come from Edwards or Bock but from Eric who managed to raise it within 24 hours. Paperwork for bail is in progress – Eric is running around the courts to get the necessary signatures and pieces of paper without which no bureaucracy springs into action.

I return from the visitors' barracks and gulp down my final prison lunch – vegetables only, the rest goes down the bowl. The cleaner arrives with the trolley and loads up my belongings. I arrived without anything at all and I exit with too much!

At the Kammer I am advised that my belongings will have to be packed in boxes because I am not to be released carrying plastic bags. And so two boxes are taped and strung while I sign countless pieces of paper. I just sign what is placed before me – I do not care what I sign. My mind is

bubbling. I want to get out. I hunger for freedom. At the main entrance is a final check before the gate slowly opens. I spy out a small window that Eric is waiting for me and with him is a photographer and an elderly bearded man – a 69er.

As I walk out of the prison, I recite the third verse of ‘Die Gedanken sind frei’:

Und sperrt man mich ein im finsternen Kerker,
Das alles sind vergebliche Werke;
Denn meine Gedanken zerreißen die Schranken und Mauern entzwei,
Die Gedanken sind frei.

(And if you lock me up in a prison,
that’s all useless work;
because my thoughts rip apart the bars and walls,
thoughts are free.)

Fancy Klein and certain other Germans trying to stop me from thinking and talking!

Eric carries my boxes to his car while the bearded fellow introduces himself as Geoff Kitney of *The Sydney Morning Herald*. In the past he labelled me a Nazi and a Holocaust denier – and so I just wish him to go to hell. But he is persistent and so I yield with the request that he write something objective, rather than fall into the politically correct mould and begin to spew forth hatred against me. I remind him that I shall respond to his questions because he is now speaking with me rather than talking about me – the old Jeremy Jones tactic. Geoff takes copious notes as I give him the freedom of thought and speech, exactly what I cherish.

The photographer, Christian Jørgensen, snaps away and fills three films. Now I know how a picture for every occasion, for each mood, is obtained.

I dine out with Eric and his fiancée – and enjoy those finer things that elementary prison life cannot offer. Then I retire to my room and read that huge pile of mail that Judge Kern sent to my belongings in the Kammer because its contents either threatened to disturb the prison order, or it offended against Section 130. His kind of censorship amazed me because it showed me that he did not understand the finer points of what it means to live in a democracy. Objects themselves cannot do anything at all – a person must initiate any action. This finer point the German judiciary either cannot or will not understand. It is the essence of what democracy is all about – liberating oneself from one’s own self-inflicted immaturity and becoming a responsible, mature citizen. Then again, once you are placed in a prison, it is assumed you are guilty and thus censorship is the order of the day. The prosecutors simply fabricate a case because if you are not prosecuted, and have spent time in a prison, then you can claim compensation. This aspect of German law will be addressed in detail elsewhere: my extensive correspondence with Judge Kern will prove of interest.

Literalism is rife in Germany – in all spheres of human interaction. Language therefore has lost its expressive colour. Just like in Australia, individuals take things literally, so that they can then express their hurt feelings – and litigate! So the racket for the dollar goes on. Figurative language use is frowned upon.

Friday, 12 November 1999

I had a restless night, yet it is somehow pleasurable to be sleeping in a queen-size bed with a fluffy pillow, rather than that hard foam rubber wedge on which I slept for seven months.

A lovely breakfast with Eric – tea and two fresh rolls with jam and honey – what a delight. And yet, I see my prison mates with me – we are having our morning coffee after our hour walk and after our return from sport. Today is the time to make a number of phone calls and again hear the voices of those who fell silent as the Mannheim Prison gates closed on 9 April.

Saturday, 13 November 1999

Near Stuttgart I meet with a group of young Germans who wished to meet with me. They are students who have escaped the re-education influence. I learn that the Baden-Württemberg state education ministry has for a number of years issued a directive which forces re-education upon all students. For example, if a student in his final Abitur-year writes in his mini-thesis that some aspect of Nazi Germany was worthy of praise, then that student will receive, for example, a very good – 1 – for form, but a fail – 5 – for content.

Another example of what is going on in German secondary schools. During religious instruction, a teacher asks a 14-year-old student ‘Would it bother him if someone greeted him with ‘Sieg Heil’?’. The student responded with a definite ‘No’. The teacher’s response was to label him a Nazi. Later a girl said to the boy he had better fit in with the prevailing opinion. This kind of pressure is called in Germany ‘mobbing’, something that we in Australia call being ‘politically correct’. What is needed is courageous people who oppose such mental rape sessions in schools.

I found one student, in his early 20s, who has broken free of German political correctness. Here is the poem he wrote in January 1999. I dare not translate this poem for fear that I would not do justice to it. I judge it to be of what will come out of Germany within the next 10 years.

Zukunft

Fort mit dir, du stilles Phlegma!
Weg, weit weg, oh Apathie!
Rühre dich, mein junger Körper,
Reg’ dich Geiste, wie noch nie!
Vorwärts will ich einzig schauen,
Schaffen mit des Geistes Kraft.

Mich an Leistung nur erbauen,
Machen, was kein anderer schafft!
Vorwärts, vorwärts, immer weiter!
Ist kein Ende dort in sicht?
Glauben an des Wollens Schranken?
Viele tun es, ich tu's nicht!

Another student informed me of his scientific research which focuses on the Third Reich's air and space exploration. Konrad Zuse's computer developments are now legendary, as are the developments of tape recording techniques and the use of solar cells. He reminds me that Heinkel developed the first rocket aeroplane which first flew in August 1939. The Me-163 was the first rocket jet fighter - pilot Heinz Dittmar reached speeds up to 1000 km/h. The first manned vertical rocket take-off was in 1945 in Stetten. The first wing-only aeroplane was by Professor Junkers and Walter and Reimar Horten. The development of the V-2 rocket bomb with a speed of over 5000 km/h and altitude of 90 km. The first guided missile with a television camera (Hs-293D). Rocket bombs (V-1). Development of the swing-wing jet Me-P1101, later known as the Russian MiG-15 and the USA Bell X-5. Both were used during the Korean War, causing problems during air attacks because they looked so much alike that pilots did not know who was the enemy. The final development coming out of Germany during the war was the first helicopter FW-62 or the Fi-282 Kolibri.

The conclusion from such reflections is that nothing new in any kind of development has occurred since Germany was stripped of its creative potential. The patent office - where Einstein worked - was literally transferred to the USA, as was the entire Stasi agent list in 1989 after the fall of the Berlin Wall. This list enables the USA to employ a host of effective former East German agents as industrial spies. These spies then infiltrate the offices of the various public prosecutors' offices, who in turn create a long list of potential - and then actual - white collar criminals. And so the German business community is systematically destroyed, and the war goes on. Add to that the massive reparation payments Germany has to meet more than 50 years after the event, then it is Versailles all over again. Someone will have to say, enough is enough.

One such person is a former member of the Red Army Faction terrorist group - the Baader-Meinhoff Group of the 1970s - Horst Mahler. On 9 November 1999 Mahler wrote an open letter to his friend, the German Chancellor, Gerhard Schröder. It is too long to reproduce here but it can be viewed on Mahler's websites: <www.horst-mahler.de> and <www.werkstatt-neues-deutschland.de> or e-mail <hm@horst-mahler.de>. I was sentenced to 10 months in prison for revisionist activity. Mahler is calling for an uprising! I am tame compared to what he demands. Perhaps Adelaide Institute ought to get out of historical research and throw itself into political action. Let me know what the feeling and thoughts are on this point. After all, we are confronted by a

massive cultural war – and not only us but other cultural nations as well. The international community of political correctness is losing its grip – and it will do anything to hang on to power – even if it means exhibiting a president's private parts for distraction purposes. Germany is bubbling – and those who scapegoat by blaming the situation on the 'radical right wing' fail to take heed of what the people want. The German people will voice their concerns – even if it is forbidden for the time being.

In this context I am reminded of Günter Steinmetz's words. For 25 years he has headed the Schwebebahn Technik that has developed the world's first magnetic transport system. He says the magnetic rail concept is best visualised as a millipede with intelligent legs. Steinmetz says about the current government hesitation to develop the magnetic rail link between Hamburg and Berlin, 'Wenn wir nicht fähig sind, diese Chance zu nutzen, dann weiß ich nicht, ob in Deutschland jemals noch neue, innovative Systeme erfolgreich eingeführt werden können' (If we are not capable of grasping this opportunity, then I do not know whether new innovative systems will ever be successfully introduced into Germany).

Prophetic words for the world!

Sunday, 14 November 1999

9 a.m.: church at Pforzheim's Catholic Herz Jesu – full church. As I sit there listening to the service I am back in prison and before me I see Voltz and Kunzmann doing their best to comfort the prisoners. At 11 a.m. I attend a Volkstrauertag (Remembrance Day) ceremony at Pforzheim Cemetery. On 23 February 1945 – after it was all over – 20 850 citizens died within a quarter-of-an-hour as the city was flattened by bombs.

Monday, 15 November 1999

Met a German who had read the trial details in the local newspaper. It turns out to be Dieter Oltmans with whom I went to school in Germany. He was four years ahead of me. Thus he had more to do with my sister. Although he knows prosecutor Klein, Dieter thinks there is still free speech in Germany.

I take the opportunity of looking through the Klaus I's Topware CD telephone disk and find that there are about 130 Töben's listed, mainly in northern Germany. This is interesting. There are more of me about – how terrible for Jeremy Jones!

On this day there is a hatchet job in *The Australian* (Appendix 35).

Tuesday, 16 November 1999

I have my third haircut for the year: one in Adelaide when I left, the next in prison, and now this one. I think of Pressac, how he advised me to cut my hair shorter so as to look younger. What nonsense – to look younger! It reminds me of the lady in Sydney who at 75 – with a tuck here and a

tuck there – looks a youthful 40. Yet, she forgot to tuck her vocal cords – and that is then a sad story to see and hear.

I also re-activate my return flight ticket to Adelaide. But I have problems – invitations from London, Berlin, Brussels, Paris, Jerusalem and Tehran have come in. Shall I stay a little longer or shall I take the chicken run out of Germany? Decisions, decisions – life was easier in prison.

On this day Geoff Muirden receives an e-mail from Bernard Busch of Queensland (Appendix 36).

Wednesday, 17 November 1999

Met a judge in Stuttgart who opposes pursuing so-called Nazi war criminals. In the evening I partake of a family birthday celebration – a delightful family affair. I think I wrote somewhere how important it is to have someone when exiting from prison – someone's arms to come home to.

In evening I hear on the news that a judge of the Landgericht in Munich, Laszlo Ender, has upheld the appeal by a former Compuserve director, Felix Somm, against a DM100 000 fine and a 2-year prison sentence because his Internet server had provided pornography into Germany. This is more good news for free speech on the Internet in Germany. Klein must be fuming – as will all dictators.

Phillip Adams on 'Late Night Live' on ABC Radio National is busy inciting hatred against me – so much for free speech! (See Appendix 37.)

Thursday, 18 November 1999

Met G. at Baden-Baden to talk about my impressions as to where Germany is heading. She comes from an academic family but after a 40-year marriage, her husband is shacking up with a former friend – same age, also around 75! Oh, what a bother to have good people suffer so.

Friday, 19 November 1999

Visit to Radio Regenbogen, the commercial station attached to the *Mannheimer Morgen*. This station brought as a news item greetings from Israel as my imprisonment was broadcast to the world. I meet with executive producer Sia Friedrich and we do an interview. She attempts to draw me out so that I have to advise her that Section 130 prevents me from saying things in Germany. She is aware of Marc in Mannheim Prison who had a swastika burnt out of his chest by some Turkish prisoners while they were in the showers. My visit to television station RNF in the same building proves fruitless because no-one wishes to talk with me. They sense that I wish to lodge a complaint with them against biased reporting. Never mind.

Saturday, 20 November 1999

I visit Günter Deckert at his Weinheim home during lunchtime. He is out on release for the day but has to return to his Bruchsal prison cell by 9 p.m. Deckert is still energetic and strong. He still will not conform and keep his mouth shut. He will not remain silent – for that he loves his Germany too much. The terrible right-wing in-fighting is sad to watch. I remind Deckert that the other side also has its problems keeping people onside. Hence the right-left wing dichotomy simply does not hold anymore – something that I have been advising those who wish to label me as an extreme right-wing individual.

Sunday, 21 November 1999

Attend a talk near Heidelberg, sponsored by the NPD, about what is happening in East Prussia – the territory currently under Russian control. The Bonn government refused the Soviet Union's offer of handing back this territory (it was German for over 700 years). No wonder that my mail with stickers on the back – 'We have our Nuremberg behind us, the Bonn politicians have it before them' – was not handed out to me in prison. A group of individuals who have formed a company are now attempting to develop this region by supporting locals. Ethnic Germans from the former Soviet Union are encouraged to settle in this region, which it is hoped in time will become a fourth Baltic republic after Estonia, Latvia and Lithuania. After the talk I was asked to say a few words about my prison experience. I concluded that my seven months was nothing compared to Deckert's four years. But then what is that to the over 40 years spent by Rudolf Hess in prison?

Monday, 22 November 1999

Per Intercity train to Nuremberg – train arrived late because someone suicided by ending it all as the express thundered into Bonn. Visited Klaus Huscher, author and publisher of *Denk Mit*, and propounder of the thesis that the German Reich still – *de jure* – exists. He now seems to have a fellow traveller because Horst Mahler has called on Chancellor Schröder to get back to the German Reich.

Huscher attended my trial on 10 November and will publish a detailed account of it in *Denk Mit*. He showed me a book, *Das Lagergeld der Konzentrations und D.P. Lager 1933-1947* (1993), which details the currency in use in various camps. It also contains a note on 'brothel visits' within the context of 'Service regulations for granting privileges for inmates', that is, those who play the game and do not disrupt camp order – exactly what was required of me at Mannheim Prison. But we had no brothel privileges. The concentration camps were quite humane in that respect. To think that public prosecutor Klein had the power to deny me my basic sexual needs makes me wonder what kind of mind this man has – whether he is actually still human. Huscher's challenging and stimulating work ought to be on the Internet.

Tuesday, 23 November 1999

A brief visit to Dachau, a city of 34 000 inhabitants which was first settled by the Celts in 5 BC. The area's three rivers to this day retain their Celtic names: Amper, Würm and Gloun. And then, according to the attractive brochure before me, came the 1933–45 horror years during which 200 000 prisoners passed through Dachau, until 29 April 1945 when the USA Army liberated Dachau and enabled the city to embrace 'democracy'.

The visit to Dachau Concentration Camp was not planned: two years ago a supporter advised me to give the camp a miss 'because everybody has been there' and the shower facilities shown to 1 000 000 tourists a year have been proved for long to be a post-war fabrication. My reason for stopping at Dachau was to speak with the museum director, Frau Distel, who had been interviewed by Phillip Adams on 18 November with Professor Konrad Kwiet, about the controversy generated by my recent release. I introduced myself to Frau Distel. We managed to have a brief conversation during which she expressed her hurt about the 'hate' Internet websites that 'deny the Holocaust'. I realised that there was little new material or differing point of view coming my way. Any critical assessment would have entailed questioning the basic premise on which the Holocaust story rests. I was not prepared to break the German law and offend against Section 130 – I did not come to Germany to provoke the judiciary. I now know that truth content is irrelevant to any discussion about this topic – and that means we have a show trial mentality embedded within the current German judiciary.

I spend the evening in the Hotel Central, a delightfully appointed hotel. There I watched television. Guess what I saw? Two programs were of interest. The first, *echt wahr*, features odd stories: tonight's was about violence in USA prisons. I can attest to the fact that German prisons are generally far less violent than USA prisons where, so it appears to me, violence is created. Even the so-called revolt at Mannheim Prison during the 1980s faded after trusted wardens asked the prisoners to stop romping about on the roofs. The prisoners did stop. Today, so someone tells me, it is a different story because of drugs and because of the large percentage of foreign prisoners with whom it is difficult to form a community. And then to my surprise the second item of interest. ZDF-TV's *Frontal* featured that 'dangerous' extreme right-wing movement called revisionism. Zündel and Irving both spoke in German about their work, then there were the government persons who emphatically stressed that revisionism was a danger to German democracy. Even my good friend Hans-Heiko Klein stated that he could not really stop the message through the Internet. All good stuff – except that I felt insulted because the Adelaide Institute did not rate a mention, though Bradley Smith and Germar Rudolf did. Klein was thus wrong when he presented me to the Mannheim court as a 'leading world revisionist'.

Wednesday, 24 November 1999

From Dachau I travel the 18 km to Munich by car. It is a slow drive because of wintry, snowy conditions. But I tempt fate as it is a delight for me to be travelling on the Autobahn at 200 km/h. Freedom again after 216 days in prison. My eyes feast on the countryside, just the way it was when I arrived in Europe, in Poland and Ukraine – the countryside covered in snow. I spent spring, summer and autumn in prison!

At Munich I meet with a judge and a public prosecutor and talk about Irving's expulsion from Munich in 1993 and his non-appearance before the Weinheim Amtsgericht in 1997.

I did not call on Ingrid Weckert because she was angry at my comment during her trial in Berlin on 26 March 1999. How do I know she was really angry at me? Jürgen Graf wrote me a letter addressed to Mannheim Prison which prosecutor Klein withheld. Therein Graf berates me for visiting Klein against the advice of a number of persons. He felt that I should have avoided this visit for the sake of revisionism's financial future – perhaps Graf is right. And yet I know that I would do it again. I indicated my intentions of establishing a dialogue with friend and foe as early as 22 February 1999, when *The Wimmera Mail-Times* publicised my travel plans. There was no secret about it. I am now able to express a professional opinion about public prosecutor Klein's character and about his moral make-up. I can now call this man a liar and an abuser of basic legal principles. The man is unjust, immoral and evil.

Only one courageous judge is needed to bring out the truth by publicly stating that he or she will not become corrupted. The current situation can be likened to the East German judges who all became turncoats when their ideology fractured and their world view shattered. Truth will out in the long run. The problem is, how long will people suffer on account of immoral people dispensing justice?

That night I rest in a delightful small Bonn hotel – family owned and on the Net.

Thursday, 25 November 1999

A delightful day's drive to Euskirchen where I visit Rudi, my Knast-mate with whom I spent a number of months learning the guitar. He is now in a prison complex that formerly housed young boys whose parents could not cope with the pressure anymore. It is a model prison institution which informs its prisoners that if they decide to escape, then would they please leave the keys behind.

I try to visit Herr Täubner in Köln. He sent me a guitar in prison which made it possible for me to learn some elementary guitar playing techniques. I can play and sing all five verses of 'Die Gedanken sind frei' and 'Help me make it through the night' among others. Unfortunately Täubner is not at home.

At Frau Stahlschmidt's in Düsseldorf I met Tidua Rudolf who accompanied Zündel, Leuchter and others to Auschwitz in 1988. He is well and sends greetings to all who remember him.

Friday, 26 November 1999

My arrival at Walendy's residence at Mönchen-Gladbach brings me face-to-face with a man who really has suffered more than I in prison. To be imprisoned at 70, and because of the things that he did not say, is the ultimate in German injustice. The fact that circumstantial evidence is enough to 'hang' a revisionist in Germany reminds me of the witch-trials and the communist trials. It is a perversion of justice. Frau Walendy is an upright woman who is strong enough to stand behind her husband. Lesser women would have folded up - as I know from personal experience. She survived the trek from East Prussia to West Germany - and she is thus fearless, a most courageous woman.

Udo Walendy needs to get a website - his material is encyclopaedic and it must be offered to the electronic community as a stepping stone into true history. His book, *Truth For Germany - The Guilt Question of the Second World War*, was first published during the 1960s. Still current to this day, it is obtainable from the Institute for Historical Research in the USA.

I worry about Judge Leutzenkirchen and the others who do not have the courage to value moral courage as a virtue, who do not value the search for truth in history. All very sad.

Saturday, 27 November 1999

I meet Cedric Martel, an historian who publishes for the European Foundation for Free Historical Research, Herbert Verbeke's enterprise in Antwerp, Belgium. Martel has published *Der Holocaust - Korrektur eines Zahlen-Mythos* (1998), *Sieger und Besiegte - Die andere Seite der Geschichte* (1999) and *Der Holocaust - Korrektur eines Mythos* (undated). It is good to see that these publications are in German because they produce a picture of the Holocaust that is not well known in Germany but certainly elsewhere in the world.

Sunday, 28 November 1999

It is time to say thank you with brief visits to those who wrote me letters and kept me informed. I called in at Herr and Frau Müller's in Mainz-Gonsenheim. They have been bearing the brunt of the fight for a true historical interpretation of Germany's war years without the guilt complex stigma. And they raised children who, directly, had to bear discriminatory harassment because of their parents' political activities. Müller heads an organisation which looks after political prisoners in Germany - looking after people who are persecuted by those such as Klein who hypocritically identify themselves with a democratic ideal.

At Wiesbaden I met Gerd Wedemeyer who kept me informed about news items that did not make the local press. An avid short-wave radio listener, he speaks numerous languages, including Russian, Mandarin and Japanese, besides English and French.

It does not amaze me anymore to meet individuals who are perceptive and aware of the ills that confront our current world.

Monday, 29 November 1999

It is time to prepare for my trip home on 12 December. But I wish to take the opportunity of accepting the invitations I have received from around the world. Time and financial constraints will prevent me from accepting all. I have politely declined the invitation to travel to Jerusalem because Israel has a similar law to Germany's. No such law exists in Iran, and so tomorrow I shall set off for Tehran. Time will tell if I make it to Washington, London, Paris, Brussels and Berlin.

Chapter 18



Tehran Interlude

Tuesday, 30 November 1999

Afternoon flight from Frankfurt to London then on to Tehran.

Wednesday, 1 December 1999

4.45 a.m.: Arrive at Tehran and met by Mr Jabbari of the Islamic Republic Iran Broadcasting (IRIB). He works for the English section of the external service. Off to Esteghlal Grand Hotel for a rest and freshening up. Television interview in the evening.

Thursday, 2 December 1999

Visited the Ayatollah Khomeini Shrine and study centre. In 1979 the Ayatollah successfully deposed the Shah, Muhammad Reza Pahlavi, who himself had been installed by the Russian and British occupation forces in 1941. Television interview.

Friday, 3 December 1999

Morning prayers at the University of Tehran – impressive. Afterwards to the Martyrs Cemetery.

Saturday, 4 December 1999

Media conference – reports about Holocaust revisionism are openly disseminated in Iranian society. I feel free to speak about the topic. This fundamentalist Iranian society celebrates me! Interesting reflections will no doubt be made on this whole matter in due course. Reactions to publicity: an Iranian who has spent over 20 years in Australia as a businessman has a sad story to tell – how his million-dollar business was ruined in Sydney. What was his business? Without going into details, it tried to capitalise on the forthcoming Sydney Olympic Games.

Sunday, 5 December 1999

Addresses to students at universities. Student: ‘What is the difference between Roger Garaudy and you?’. Töben: ‘Garaudy is a Moslem. I am not – yet!’. The report of one English language newspaper on the media conference is in Appendix 38.

Monday, 6 December 1999

Newspaper interviews. Visit to Mr Kazemi's family home. Kazemi works for the German section of the IRIB overseas service. He has been following the revisionist scene for over a year and reported regularly on the Zündel trial in Canada, as well as my own in Germany. He would be one of the most knowledgeable Iranian revisionists at present.

Another English-language newspaper report of today's date is in Appendix 39.

Tuesday, 7 December 1999

Final day – meeting with the president of the IRIB, Dr Ali Larijani. In the evening to Usol Al Deen College to meet with a wise educator and spiritual leader, Al-Sayed Murtada Al-Askary.

Wednesday, 8 December 1999

Early morning departure from Tehran Airport to Berlin via London. Question: 'Are you not afraid of re-entering Germany after what the government did to you there?'. Answer: 'Why should I be afraid? What can happen to me? I am not breaking the law during my stay in Germany. I have not been barred from re-entering Germany. My bail conditions imposed no such limitations on me'.

Chapter 19

Journey Home Via Berlin

Thursday, 9 December 1999

Meeting with Andreas Röhler who did so much to publicise my case in Germany.

On this day another article appeared in Tehran's *Kayhan International* with what proved to be, indeed, indeed prophetic words for Dr Joel Hayward! (See Appendix 40.)

Friday, 10 December 1999

Meet two ladies who are followers of Jan van Helsing's esoteric theorising about UFOs, the hollow earth theory etc. His latest book, *Die Akte* (The File), is a record of how state public prosecutor Hans-Heiko Klein attempted to index his previous books under Section 130. Why? Van Helsing mentions the words 'Jewish', 'Zionist' etc. and that is enough for him to be pursued.

Saturday, 11 December 1999

Invited to participate in a small group discussion on Germany's future. The former Red Army Faction terrorist and former friend of the current Bundeskanzler Schröder, Horst Mahler, is also present. All very interesting – because it confirms what judges and prosecutors have told me in private: there is a groundswell of discontent in Germany – more than just opportunistic discontent – especially among the professional classes who see excessive materialism eating away at German statehood.

Sunday, 12 December 1999

An afternoon Intercity train to Frankfurt. The 10.10 p.m. departure flight for Adelaide is delayed for five hours. I miss my Adelaide connection at Singapore. While waiting, an elderly German verbally abuses the captain who is explaining to the passengers what is being repaired on the plane's pressure-air speed measuring gauge. I interrupt the German's abuse by supporting the captain's stance. It is good of the captain to keep the passengers informed of what is happening – that old matter of keeping people informed, of having a free flow of information. Keeping them in the dark is a crime! But the German took some time to

calm down because he was grieving the loss of money – he needed to be in Sydney the next morning in order to clinch a deal.

Half-an-hour later, while I was doing my rounds of walking to keep my legs in shape, suddenly from behind a lady grabbed me by the left elbow and said, ‘Please come with me’. For a split second I felt numb and thought about all sorts of things. I noticed that she was a Lufthansa staff member. She then sidled up to me and took me into a room and said, ‘What you did there a little while ago, supporting the captain, was appreciated by us. It does not happen very often. In appreciation I have for you a bottle of wine’. I was relieved – and pleased.

Monday, 13 December 1999

Flying.

Tuesday, 14 December 1999

Arrive very early morning and spend the day at the Orchid Hotel, Singapore. Around 7 p.m. to the airport for departure for Adelaide.

Wednesday, 15 December 1999

HOME!

6.30 a.m.: Arrival at Adelaide Airport. Although I have only hand luggage, I am delayed because a customs officer wishes to be informed, in detail, about my time in Mannheim Prison.

7 a.m.: I exit customs and enter freedom – and in gratitude kiss the ground, and am moved to tears as I see the welcoming committee – Geoff, David, Werner, Theo and family. I also see Sherrill Nixon of AAP, Matthew Spencer of *The Australian* and photographer, Tony Lewis. Later that morning, Penelope DeBelle of *The Age* interviews me with photographer Bryan Charlton. Peter Krupka of *The Australian* follows up Matthew Spencer’s story. These interviews are for the Saturday editions of *The Age*, *The Sydney Morning Herald* and *The Australian*.

Thursday, 16 December 1999

Both Nixon’s and Spencer’s articles are published (Appendix 41), but the DeBelle and Krupka in-depth interviews do not appear – the imperative still stands: do not give Töben any oxygen of publicity. Or, what else is there to tell?

Wednesday 29 December 1999

Just as this account began with an extract from *The Wimmera Mail-Times*, it ends with an editorial (Appendix 42) which is telling in other respects as well.

END



Tehran, a beautifully clean city with a wonderful vista.



My first stop was a visit to the Ayatollah Khomeini Institute. This is where the 1978-79 Iranian revolution overthrowing the repressive and pro-Zionist regime of Shah Pahlavi was announced.



Students at the Ayatollah Khomeini Institute: more than one-half of Iran's university students are women - all highly intelligent.



With members of the Islamic Republic of Iran Broadcasting German department staff outside the conference centre.



After the press interview morning tea was shared with these journalists.



After addressing university students in Tehran.



A student presents me with a gift after my address.



Visiting a spiritual leader in his home.



The popular KaDeWe – Kaufhaus des Westens – in Berlin (West) two weeks prior to Christmas.



Brandenburg Tor.



Relaxing with thinkers.



Horst Mahler, once a Baader-Meinhof terrorist supporter and now a monarchical nationalist.



Arrival at Adelaide Airport.



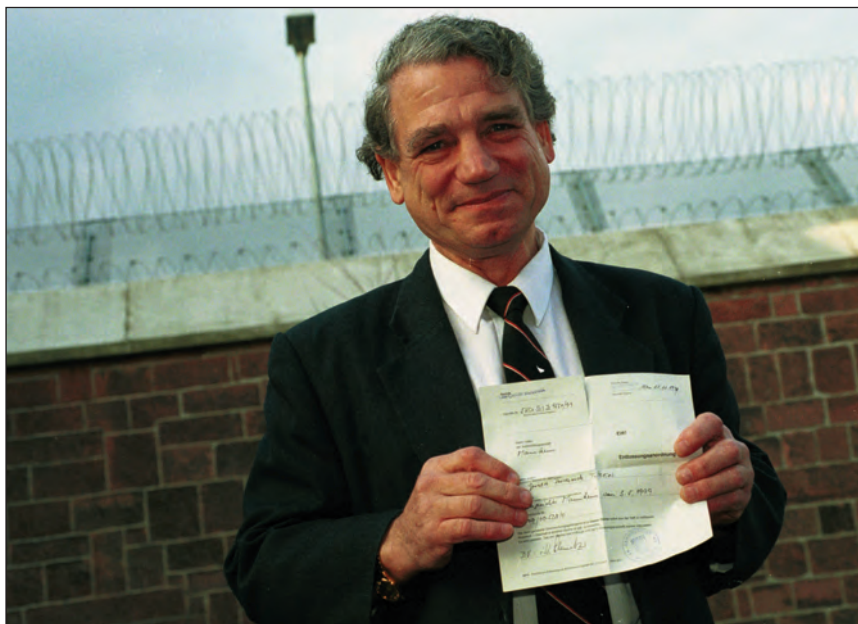
Symbolic gesture upon my return to Adelaide, 15 December 1999.



Tony Lewis captures the moment at 7 a.m. on Wednesday, 15 December 1999 when I am on my knees, in gratitude, at Adelaide Airport.



With journalist Penny Debele of The Age.



Fredrick Töben holding his release document outside the Mannheim Prison. (Courtesy Christian Jörgensen)



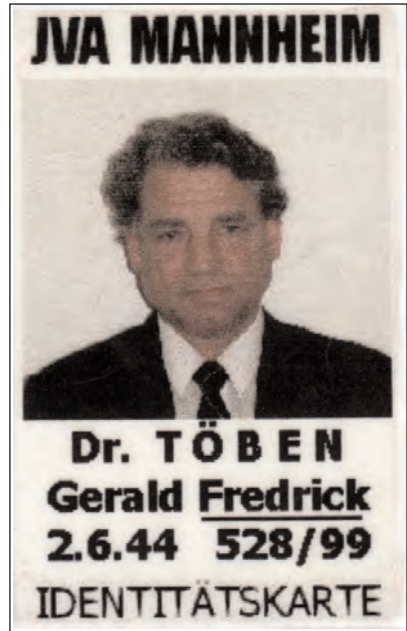
My prisoners' representative pass.



This cartoon was sent to me in a letter but not handed out. Why not? The message contained therein is defamatory of Mannheim Prison.



My lawyer, Ludwig Bock.



My prison ID card.

Justizvollzugsanstalt Mannheim

Laufzettel

Gültig nur in Verbindung mit der Identitätskarte

Datum: 09.06.99

Name:

M. Töben

von Zelle

1334

nach

U-3a

Uhrzeit:

13:00

Uhrzeit:

Grund:

Arzt. Konsult.

Name des Beamten

Name des Beamten

This blue piece of paper guarantees a walkabout – this one permitted me to go to the visitors' barracks and meet Ernie Edwards of the Australian Embassy.

Jusföreläggelseanstalt Mannheim, den _____

Antrag

Str. – U – Gefangener _____

Nam., Vorname _____ geb.: _____ Ref.: _____

Hausraum-Nr.: _____ Betrieb _____

Gef.-Buch-Nr.: _____

Grund: _____

Unterschrift des Gefangenen _____ Datum, Stempel und Unterschrift _____

(Dieser Teil darf vom Antragsteller nicht beschrieben werden.)

A 185 30396 / 83 178

The 'infamous' Antrag. Nothing functions in prison without making a formal application to the authorities.

A

Begleitumschlag für abgehende Briefe
(Nr. 32 U/VollzO)

An das/die _____
Amts — Land — Oberlandesgericht — Staatsanwaltschaft* _____
zu Aktenzeichen _____
Inhalt: _____ Sendung(en) des/der Untersuchungsgefangenen _____

(Name, Vorname, Geburtstag)

an** _____ in _____
(Empfänger)

(Amts — Land — Oberlandesgericht — Staatsanwaltschaft)

1. Beförderung der Sendung(en) Nr. _____ wird genehmigt
2. Beförderung der Sendung(en) Nr. _____ ist mit
Beschuß v. _____ nicht genehmigt worden.
3. Geschäftsstelle zur Absendung der Sendung(en) Nr. _____
4. Umschlag zu den Verfahrensakten _____

(Tag) (Unterschrift)

(Amts — Land — Oberlandesgericht — Staatsanwaltschaft)

Geschäftsstelle
Zur Post gegeben am: _____

(Unterschrift)

* Nichtzugehendes streichen
** Bei mehreren Sendungen Empfänger auf der Rückseite angeben

VG 100; Begleitumschlag für abgehende Briefe VA Mannheim

Von Gefangenen auszufüllen

All my outgoing letters were placed in such an envelope. Before posting, the public prosecutor and the judges censored the mail.

INTERNA
INSASSENVERTRETUNG in der JUSTIZVOLLZUGSANSTALT MANNHEIM

Insassenvertretung **INTERNA**
Postfach 10 32 54 · D-68032 Mannheim

Anschrift:
Herzogenriedstraße 111
D-68169 Mannheim

Postanschrift:
Postfach 10 32 54
D-68032 Mannheim

Zeichen Zeile

Mannheim.den

I wrote my prisoners' representative grievances on such letterhead paper.

Die Chor-Sänger: vom Herzogenried.


Auch im Herbst leint mancher Singsen dazu
wird ein mancher auch Gezwungen.
manche Sengen auch im Chor das
Sonntags einmal in der Woche vor,
was nur ein Freiwilliger genießt der
hier so manche Sünde büßt.

Sitzt unser Chor im Großen Raum
und singt sich frei das ist ein Traum,
das Echo in der Kirche was wieder
Schallen läßt die Töne und Klänge die
einem Freude bringen könnte wäre
man nicht in diesem Haus, wie kommen
alle einmal raus, so Singen wir im frohen
Chor und warten auf den Tag an dem wir
nach Hause können und einem Mann wie
Kratzert Ernst einigen nachsagen. Paar Töne
hat entlocken können, was kein anderer
dermochte. Der hier im Kraß regierte oder sonst
noch hätte, wir werden wenn wir dieses
Haus verlassen immer an ihn denken und
versuchen das Gelehrte zu verschicken.

H.H.

Oktober

1999



Der Chor Untersuchungs
Gefangenen J.D.L.
Mannheim

Wir Gratulieren

Zuversichtsvoll

Klaus J. J. J.

W. J. J.

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SAMIZDAT L'AUTRE HISTOIRE

Avril 1999 — Lettre privée, strictement réservée à son destinataire. Toute diffusion ou toute interception constituerait une infraction à l'article 226-15 du nouveau code pénal qui punit ce délit d'un an de prison et de 300 000 francs d'amende.
Rédigée par un ami d'André Chélin et de la revue *L'autre histoire*.

Frederick Toben arrêté à Mannheim : le procureur Klein est devenu fou !



Le numéro 13 de la revue *L'autre histoire* est fin prêt. Les numéros 14 et 15 sont en cours d'achèvement.

Le pouvoir a cru un moment qu'en interdisant, de manière illégale, le recours au tarif publicitaire, ils allaient réduire la revue au silence. Ils pensaient obtenir ainsi un résultat que par deux fois la justice avait refusé de leur accorder. C'est vrai que les lobbies ont mis l'équipe en difficulté, mais elle va bientôt rebondir et faire plus de mal au système que jamais.

Au mépris de tous les usages, le 8 avril dernier, l'historien australien Frederick Toben a été arrêté, au cours d'une conversation privée, dans le bureau de Hans-Heiko Klein, procureur fédéral à Mannheim, en Allemagne.

Le chercheur australien Frederick Toben vient régulièrement en Europe rencontrer les personnes qui comptent dans la science holocaustique. Cette fois, après un long périple qui l'a conduit en Pologne et en France, il s'est rendu en Allemagne parler avec le plus féroce des inquisiteurs anti-révisionnistes, le redoutable Hans-Heiko Klein, surnommé par ses amis *et loco*, le fou.

Souhaitez-moi bonne chance !

En quittant l'Europe de l'est, Frederick Toben avait envoyé le message suivant aux visiteurs de son site internet : « Souhaitez-moi bonne chance ! ». Il savait qu'il risquait gros en venant taquiner le loup dans sa tanière. Quinze jours plus tard, cette sombre prédiction se confirmait et l'historien était jeté en prison. Selon les analyses des experts en démonologie germanique, le voyageur australien risque de moisir au moins trois à cinq mois en prison dans l'attente d'un jugement. Puis,

selon la bonne volonté des juges, une caution de l'ordre de 600 000 F sera fixée, de sorte qu'il ne soit pas en mesure de la payer. L'objectif est de faire rester Toben en prison le plus longtemps possible afin de le briser et de faire peur aux autres.

Diffamer les morts

Contrairement à une légende complaisamment répandue en France, il n'existe pas de loi spécifiquement anti-révisionniste en Allemagne. Ils n'en ont pas besoin. Ils disposent de la législation interdisant de porter atteinte à l'honneur des morts. Au titre de cette loi, Toben risque une peine de cinq années de prison.

Au cours d'un entretien avec la journaliste australienne Penelope Dehelle, Toben a précisé en 1996 sa pensée : « Je ne conteste pas le fait que quelque chose de terrible a bien eu lieu. Nous examinons tout simplement les affirmations selon lesquelles les Allemands ont systématiquement tué des gens, spécialement des Juifs, dans des chambres à gaz homicides. »

Un ami de Schindler

En Australie, David Brockschmidt qui dirige l'Adelaide Institute, avec Frederick Toben, nous a dit : « Nous ne sommes pas ces neo-queux chose que des organisations radicales de la communauté juive nous accusent d'être. Nous nous efforçons de faire le tri entre les faits historiques et l'histoire issue de la propagande de guerre. »

Durant la guerre, le grand-père de Brockschmidt avait établi les faux papiers qui avaient permis à 1200 Juifs de voyager de Pologne vers

Lusine tchèque du fameux Oskar Schindler. Selon son petit-fils, Toben est un homme courageux, un esprit libre et un penseur indépendant, qui cherche la vérité par ses propres moyens.

Des appels de détresse

Évidemment, tout le monde ne partage pas le point de vue de Brockschmidt. Jeremy Jones, le responsable d'un des lobbies sionistes les plus actifs d'Australie, a Toben dans son collimateur depuis 1996 quand son site internet a commencé à diffuser une version des événements de la Seconde Guerre mondiale qui ne correspond pas à la vision qu'en ont les responsables juifs du continent austral.

Encouragé par de nombreux appels téléphoniques qui seraient ceux de survivants de l'Holocauste et de leurs enfants, ayant été bouleversés par le contenu du site de Frederick Toben, Jeremy Jones a porté plainte à de nombreuses reprises pour incitation à la haine raciale devant la commission *ad hoc* australienne. Alertés par leurs coreligionnaires de Sydney, le centre Simon Wiesenthal de Los Angeles a lui aussi lancé une investigation. Des arguments tout frais pour ces incessantes campagnes de financement auprès des juifs crédules de Californie.

Jeremy Jones n'hésite pas à déclarer : « Toben est un de ces Australiens qui cherchent à blesser, offenser, intimider ou à rabaisser les Juifs d'Australie au moyen de la négation de l'Holocauste. Lui et ses collègues ne méritent que le mépris de tous les Australiens qui pensent bien. »

Lettre personnelle. À ne pas communiquer à des tiers.

The French support is most appreciated. The item was sent to me – it passed the censor's watchful eyes.

Landgericht M a n n h e i m

Mannheim, den 04.10.1999

- Strafkammer 5 -

(~~XXXXXXXXXXXXXXX~~)

(~~Jugendkammer~~)

(~~Schlichtungsstelle~~)

In der Strafsache

g e g e n

Dr. Gerald Fredrick Toben

.....

.....
wegen Verd. d. Volksverhetzung

Aktenzeichen:

5 Kls 503 Js 9551/99

Hoff

Die Kammer ist in der am

Montag, den 08. November 1999 u. ff. Tage

.....
beginnenden Hauptverhandlung

wie folgt besetzt:

Vorsitzender: VRLG Kern

Beisitzende RLG Schmetzer
Richter:
.....

Ehrenamtliche
Richter: Christa Ehmann
.....
Ronny Kriek
.....

Der Vorsitzende:
Kern

Vors.Richter am LG

Beglaubigt:

Gerberding
(Gerberding) JAng



The official public notice of my trial.

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2 HL 411/199</p> <p>Geschäfts-Nr. der Hinterlegungsstelle</p> | |
| <p>Amtsgericht</p> <p>— Hinterlegungsstelle —</p> <p>68149 Mannheim</p> | |
| <p>Antrag auf Annahme von Geldhinterlegungen</p> | |
| <p>1.</p> <p>a) Hinterleger</p> <p>b) Vertreter des Hinterlegers (wenn dieser den Antrag stellt)</p> | <p>Name, Vorname, Beruf, Straße, Hausnummer, PLZ, Ort</p> <p>a) Rössler, Eric Berndtstr. 72, 68149 Mannheim</p> <p>b)</p> |
| <p>2.</p> <p>Hinterlegter Betrag</p> <p>Nur gesetzliche oder gesetzlich zugelassene Zahlungsmittel</p> | <p>DM 6.000,-</p> <p>in Buchstaben DM Sechstausend</p> |
| <p>3.</p> <p>Hinterlegungsgrund</p> <p>a) Angaben zur Rechtfertigung der Hinterlegung</p> <p>Wenn die Sache, in der hinterlegt wird, bei einem Gericht (Behörde) anhängig ist, Bezeichnung dieser Sache, des Gerichts (Behörde) und der Geschäftsnummer</p> <p>b) Bezeichnung der dem Antrag beiliegenden Schriftstücke</p> | <p>Sicherheitsleistung (Kautions) zur Abwendung der Untersuchungshaft in der Strafsache</p> <p>gegen: G. G. und F. G. G. T. G. G.</p> <p>AZ. der Staatsanwaltschaft Mannheim: 503 J. 3039/52</p> <p>gemäß Beschluss des Landgerichts Mannheim</p> <p>vom: 15.11.52 AZ.: 5 VL 503 J. 3039/52</p> <p>- Beschluss lag vor -</p> |
| <p>4.</p> <p>Empfangsberechtigte</p> <p>die für den hinterlegten Betrag in Betracht kommen</p> | <p>Name, Vorname, Beruf, Straße, Hausnummer, PLZ, Ort (wenn bekannt, Bank- oder Postgirokonto angeben)</p> <p>a) Hinterleger</p> <p>b) Justizfiskus Baden-Württemberg</p> |

HS 1 Antrag auf Annahme von Geldhinterlegungen (§§ 81 ff. AVHCl) VB 2.94

Fortsetzung des Antrags auf der Rückseite

Front of the proof of bail payment made by Eric Rössler on behalf of supporters who overnight collected the required DM6000.

Fortsetzung des Antrages der Vorderseite:

5. Bei Hinterlegung zur Befreiung des Schuldners von seiner Verbindlichkeit

a) Warum kann der Schuldner seine Verbindlichkeit nicht oder nicht mit Sicherheit erfüllen?

b) Gegenleistung, von der das Recht des Gläubigers (Nr. 4) zum Empfang des hinterlegten Betrages abhängig gemacht wird.

c) Wird auf das Recht der Rücknahme verzichtet?

Ort, Datum

Mannheim, den 11.11.99

☒ ANLAGE
nein

☐ ja, Blatt

Annahmeanordnung

1. Der umseits unter Nr. 2 genannte Betrag ist anzunehmen

☒ als neue Masse

☐ zu der vorhandenen Masse unter GHB-Nr.

Der Antragsteller

bis

sofort

☒ wurde aufgefordert, den Betrag einzuzahlen

☐ hat den Betrag bereits eingezahlt. Dort verbucht unter

Wird in dieser Frist nicht gezahlt, ist die Annahmeanordnung an die Hinterlegungsstelle zurückzugeben.

2. Nachricht an
mit Vordruck HS 5

☐ Antragsteller

☐ Vertreter

3. An die ~~Landesoberkasse~~ Landesoberkasse KA
— über die Gerichtszahlstelle hier —

Ort, Datum

Mannheim, den 11.11.99

Rechtspfleger

Hinterlegungsbescheinigung

Bei Annahme durch:

☒ Heute ☐ Am

wurde der umseits unter Nr. 2 genannte Betrag eingezahlt.

Gebucht: EL-Nr. 8441/1999

Gerichtszahl-
stelle

Gerichtszahlstelle

Mannheim

für die Gerichtskasse



Ort, Datum

11. NOV. 1999

Zahlstellenverwalter

Gerichtskasse

Gebucht: MANNHEIM

(Dienststempel)

EGH-Nr.

GHB-Nr.

Ort, Datum

Kassenleiter-Kassier

Buchhalter

NICHT VOM ANTRAGSTELLER AUSZUFÜLLEN

Back of the proof of bail payment.

Behörde
Landgericht Mannheim

PLZ, Ort, Datum

, den 11.11.1999

Anschrift, Fernruf

Geschäfts-Nr.: FK 503 Js 9851/99
Bitte bei allen Schreiben angeben!

Herrn Leiter
der Justizvollzugsanstalt

Mannheim

Eilt!

Entlassungsanordnung

Strafsache gegen

Vor- und Zuname, Geburtsort und -datum

Dr. Gerald Friedrich TOBEN

Haftbefehl des

Bezeichnung des Gerichts, Datum des Haftbefehls und Geschäfts-Nr.

Amtsgerichts Mannheim vom 3.5.1999

Gefangenenbuch-Nr.

1999/10528/0

Der oben genannte Untersuchungsgefangene ist in **dieser Sache** sofort aus der Haft zu entlassen.
Anschluß- / Überhaft in anderer Sache ist ggf. zu beachten.

Es wird gebeten, Tag und Stunde des Vollzugs und die Entlassungsanschrift hierher mitzuteilen.

D.V.: i.V. Klemm



StP 6 Ersuchen um Entlassung aus der Untersuchungshaft (Nr. 17 UVollzO) - JVHm 6.91

A most treasured piece of paper - my release is guaranteed by this official court order.

Jugendvollzugsanstalt
Mannheim
 Buchnummer:
 1999/00528/0
 Einweisungstabelle — Geschätznummer
 LG Mannheim 5 Kls 503 Js 9551/99

Tag
 11.11.1999

Entlassungsschein

Familienname (ggf. auch Geburtsname) — Vornamen
 T O E B E N Dr., Gerald Frederick
 Geburtsdag — Geburtsort — Kreis
 02.06.1944 Jadeberg

Bev.
 Erzieher
 Wohnort/letzter Aufenthaltsort
 23 Caloroga Street, Adelaide

Kurzauer von der
 Erlassungsgrund (z. B. Strafsende, Aufhebung des Haftbefehls)
 08.04.1999 — 11.11.1999 Haftbefehl außer Vollzug
 Personalausweis vorhanden (ja/nein)

Aufgaben und Bedingungen (ggf. Name und Anschrift des Bewährungshelfers)
 Teilnahme an berufsständischen Maßnahmen während der Haft (Art und Dauer)

1. Entlassen nach (Ort, Straße):
 2. Unterkunft — nach seiner Angabe — durch Vermittlung der Anstalt — bei:
 3. Arbeit — angebahnt — vorhanden — nach seiner Angabe — durch Vermittlung der Anstalt — bei:
 4. Eigene Kleidung a) Umlang: *ausreichend*
 b) Zustand: *gut*
 5. Bei der Entlassung sind folgende Bekleidungsstücke gegeben worden:
 6. — Gutschein für — Fahrkarte nach — wurde — nicht — ausgehändigt.
 7. Bei der Entlassung erhalten:
 a) Vorhandenes Guthaben *114,36* DM
 davon Überbrückungsgeld bzw. als solches zu behandeln — DM
 (besonderer Pfändungsschutz: vgl. § 51 Abs. 4 und 5 StVollzG)
 b) Beihilfe zu den Reisekosten — DM
 (besonderer Pfändungsschutz: vgl. § 75 Abs. 3 Satz 1 StVollzG)
 c) Überbrückungsbeihilfe — DM
 (besonderer Pfändungsschutz: vgl. § 75 Abs. 3 Satz 2 StVollzG)
 Summe — DM
 Abzüge für Fahrkarte/Kleidung — DM
 Summe — DM
 Davon überwiesen an — DM
 in bar wurden ausgezahlt — DM

Sorgfältig aufbewahren
 Diese Vorsprache bei Fürsorgestellen und Arbeitsstellen ohne diesen Schein ist zwecklos.

Nachträgliche Fürsorgemaßnahmen und
 Zuwendungen bitte auf der Rückseite vermerken

VG 44 — Entlassungsschein Nr. 54 VGO (gültig 11/92) VM

Der Anstaltsleiter
[Signature]
 (Unterschrift, Amtsbezeichnung)

[Stempel: JUGENDVOLLZUGS-ANSTALT MANNHEIM]

Prison release document.



Fredrick Töben peering out from Mannheim Prison's reception centre on 11 November 1999.



Andrew Gray, Fredrick Töben, Arthur Butz and Jürgen Graf at the Adelaide Institute's international symposium, September 1998.

Afterwords



What is hateful and what is saintly

Freedom of speech has been a truism since at least the Age of Enlightenment. Even before, as early as 1644, John Milton wrote, ‘Give me the liberty to know, to utter and to argue freely according to conscience above all other liberties’.

In our time, this is what Dr Fredrick Töben has asked. He is part of an unbroken tradition of philosophers, seekers and dissenters, from Voltaire to Thoreau, who have been willing to endure imprisonment if necessary, to stand for the liberty of conscience which was the aspiration of the West until the rise of modern totalitarianism, and that most peculiar of all the tyrannies of modern ideology, the tyranny of Jewish supremacy.

Simply to connect the word Jewish to the word supremacy is to immediately invoke a firestorm of malediction and the ritual curses of the misnamed ‘human rights’ organisations. These pressure groups seek to silence those who have the courage to question every sacred cow and holy writ, not just ‘white supremacy’ or the fundamentalism of the Church, but the all-encompassing authoritarianism that emanates from Judaic supremacist ideology, as expressed in the *Talmud* and *Kabbalah*, the sacred books of the religion of Judaism.

When we are puzzled by an especially perverse dictum of the mandarins of media and government, in their role of arbiters of what is hateful and what is saintly, when we are told, for example, that it was morally correct to sentence Töben to imprisonment because he supposedly incited ‘racial hatred’ against Jewish persons – while the routine incitement of racial hatred against Germans under the guise of ‘teaching the lessons of the Holocaust’ is commended and praised – we are confronting, at the radix of this double standard, Talmudic praxis.

We cannot fully account for the case of Fredrick Töben without factoring in the doctrine of Judaism concerning Jews and Gentiles. Without considering this element we are left with a seemingly indecipherable riddle: whereas giving offence to Germans is an integral part of what it means to be a human rights campaigner, giving offence to Jewish persons is judged to be reprehensible profanation and virulent hatred, requiring the imprisonment of those who would dare to give the ‘offence’.

This Wonderland logic cannot be understood without understanding the *Talmud*. The renowned codifier of halakha (the Jewish religious law based on the *Talmud*) was the medieval rabbi, Moses Maimonides. Maimonides is considered the greatest Talmudic authority and philosopher in Jewish history. In the Mishnah Torah, Hilchot Rotze'ach 2:11, Rabbi Maimonides decreed:

A Jew who killed a righteous gentile shall not be executed in a court of law. It is written, 'If a man shall act intentional against his fellow ...'. But a gentile is not considered a fellow. Even more so, a Jew is not executed for killing an unrighteous Gentile.

The usual response of the Jewish establishment to the preceding citation of this racist halakhic ruling, is to deny its existence, or claim that it was 'fabricated by anti-Semites'. But the passage has been cited accurately from the Mishnah Torah. It embodies the Talmudic attitude toward Gentiles.

Rabbi Shimon Ben Yohai, the revered Kabbalist whose grave in the Israeli state is a site of national pilgrimage, decrees in Mechilta, Beshalach 2, 'Even the best of the Gentiles should all be killed'.¹

Fredrick Töben's human rights can be derogated in 'democratic' Australia and he can be thrown into the dungeons of 'democratic' Germany with impunity, because both Germany and Australia today do the bidding of the Jewish supremacists. The root of Jewish supremacy is found in the *Talmud*. The *Talmud* defines all who are not Jews as non-human and specifically dehumanises Gentiles: 'When a Jew murders a Gentile, there will be no death penalty. What a Jew steals from a Gentile he may keep' (Sanhedrin 57a); 'The Gentiles are outside the protection of the law and God' (Baba Kamma 37b); and 'All Gentile children are animals' (Yebamoth 98a).

There is much more unsavoury material in this vein that can be cited from the farrago that is the *Talmud*. The preceding should suffice to make the point that freedom of speech is not an issue for Töben's inquisitors because the ultimate source of their rulings against him are the binding Talmudic decrees of the religion of Judaism. By this criterion, Töben, as an 'unrighteous Gentile' who has offended the holy people, is not only outside the protection of the law, even his murder would not be considered a crime, according to the *Talmud*.

One does not find a special class of holy people in Milton, Voltaire, Thomas Jefferson, John Stuart Mill, Henry David Thoreau and the other intellectual fathers of our Anglo-Saxon and Celtic Western civilisation.

Such a notion of religiously sanctioned supremacy was alien and abhorrent to them. It is one of the ironies of our age that those who cry the loudest about racism are often themselves partisans of the fanatical racism of the Jewish religion.

The governments of Germany and Australia feel free to trample Töben underfoot because their Jewish overseers demand that they suspend the

civilisation of the West and supplant it with the laws and standards of Judaism.

While it is certainly true that many Jewish persons have no direct knowledge of the *Talmud* and may even be agnostics or atheists, it is equally true that after 2000 years of Talmudic teaching, Jewish culture is imbued with a tendency toward bureaucracy, thought control and demands for special privileges and immunities, all of which are inherently Talmudic. Moreover, even for Jewish agnostics and atheists the *Talmud* remains a revered totem of tribal chauvinism. For example, the chairman of the USA Federal Reserve Bank, Alan Greenspan, who is an atheist, swore his first oath of government office upon a copy of the *Talmud*.²

Most of the citizens of the West would never tolerate the imprisonment of someone who denied the resurrection of Christ or the Virgin Birth. Christianity is no longer perceived as a creed that requires the enforcement of belief by a jailer or a court. Yet these same tolerationists are more than willing to sit passively on their backsides – indeed, even to applaud – while Töben is entombed in a German dungeon for having denied the miracle stories of the state religion of holocaustianity.

The mentality that condones Töben's ordeal is quintessentially Talmudic. It is a betrayal of Western civilisation and represents a turn backwards, toward the fanaticism and superstition of supremacist ideology. We do no favours to Jews when, out of cowardice or conformity, we permit racism and supremacy to operate simply because, in this case, it happens to be Jewish. Anyone with a genuine regard for Jewish persons will speak the truth to them. Jews, like Germans, may be 'offended' in the process. So what? A desire to be immune from criticism and offence is a pretension of aristocracy and leads to exclusivity and paranoia.

In the 21st century it is not too much to expect that what John Milton demanded in 1644 finally comes to pass, and that intractable dissenters such as Fredrick Töben – those 'unreasonable men' upon whom, George Bernard Shaw said, all progress depends – may at last have the liberty 'to argue freely according to conscience' for the benefit of all humanity.

Michael A. Hoffman II

Coeur d'Alene, Idaho, USA

5 December 2000

* * *

A big hammer for such a little nut

Terry Lane

The human rights and equal opportunities commissioner has ordered an Adelaide man, Dr Fredrick Toben, to change the contents of his website, or else.

Dr Toben is sceptical about the use of gas chambers by Nazis for the mass extermination of Jews. He says that it didn't happen, or is grossly exaggerated. And if that is what he sincerely believes, as offensive as some people may find it, how can he be forced to pretend that he doesn't believe it?

Are we to take it that the human rights commissioner is going to order every outspoken person who offends some group or other to desist and apologise? Will Philip Ruddock be forced to declare that Aborigines did invent the wheel? Or will Bill Hayden be compelled to retract his assertion that some Aboriginal children were better off separated from their parents?

Toben is saying on his website that he doesn't believe that the Nazis used gas chambers to murder Jews. He is making a claim of fact that can be proven or disproved by evidence. It does not need to be censored in advance of the argument.

However, we know all that. Some of us believe in the principle of free speech, even though it means that we must from time to time defend the rights of individuals whose speech is morally repulsive or even fantastic and mendacious. And some of us want to prohibit speech that offends or hurts, on pain of penalty for the persistent speaker.

As one who believes in the right of the citizen to be wrong and offensive, I am interested to know how the speech prohibitionists intend to stop the mouths of those they don't like. Can it be done in a free society? To what low level of thought control are we prepared to go?

In totalitarian nations where total control on ideas has been tried they have come up with novel mechanisms. In the old Soviet Union, you had to get a government licence to own a duplicating machine. But neither the Soviets nor the Chinese thought to impose proper controls on the fax, which led to things getting out of hand in the late 1980s.

Now we have the Internet, and Dr Toben's Adelaide Institute website appears to be located on an American server. The human rights commissioner will get short shrift if she appeals to the American administration to close down a website. They don't do that sort of thing in the USA because they believe that the good order of society is not threatened by a few people who choose to hold and disseminate improper opinions.

But suppose that the commissioner, Ms McEvoy, could persuade the Americans to revoke the first amendment to their constitution, she would not be able to leave it there. She would have to effect a total ban on Dr Toben speaking in public, or even having private conversations. He would have to be a banned person in the old South African sense of the term. His mail would have to be censored, his telephone cut off, his computer and fax confiscated and all his friends, who might republish his ideas, locked up in solitary. Anyone holding similar opinions would have to be banned. Has she thought this thing through?

Some zealots who believe in free speech might think that, in the service of their convictions, they should re-publish the Toben website, not because we agree with it but because of the principle at stake.

German-born Dr Toben may be trying to clear his people's name. If a Japanese-Australian were to publish a revisionist history of WWII in which the Japanese Imperial Army is a bunch of softies, totally committed to prison reform, would the human rights commissioner ban it because the RSL petitioned her to? I think not.

If Toben is telling the truth, nothing will stop it. If he is a malicious fantasist, then he will be ignored. We should test his assertions, not silence them.

This article was first published in *The Sunday Age*, 14.10.2000.

* * *

Poor Judgement

Since I am an American, and a libertarian, I take a rather strong position in the belief in the freedom of people to express their opinions, including and especially opinions not shared by the majority; in fact, the First Amendment of the United States Constitution was specifically written not for people with whom we agree and like; it was written for people whom we most adamantly disagree with and dislike.

Holocaust denial/revisionism fits this description and thus free speech applies more to it than to less controversial issues. If we are confident in our belief in the Holocaust (or anything for that matter), then we do not need government to protect us from those who would challenge our ideas. I would go further: those who do call upon governments to enforce restriction of speech through violence or the threat of violence, most likely lack confidence in their beliefs (or else why call on a higher power – in this case a bigger gun – to stop those who challenge your beliefs). In my opinion it is an act of cowardice to call forth government to silence those whose opinions you do not like. I thank my lucky stars every morning that I live in a country in which I can have such an opinion.

I met Fredrick Töben in person. He came to my office one day and I found him to be a most pleasant and thoughtful man. While I do not know him well enough to speak with confidence about his deepest held beliefs and convictions, I found no reason to believe that he intends to stir up hate or trouble among peoples in America, Europe, Australia, New Zealand or anywhere else. While I do not agree with his opinions on the Holocaust, and have described in great detail what I think is wrong with the arguments of the Holocaust deniers/revisionists in my book *Denying History*, I believe even stronger that Fredrick Töben, and anyone else, should be allowed the freedom to challenge any and all aspects of that history, or any other history.

The worst thing Töben has done is to show poor judgement in entering Germany, knowing what their laws say about such matters, and knowingly proffering his views on the Holocaust. His subsequent imprisonment, deplorable as it was, could have come as no surprise to him, or anyone else in the revisionist movement. If it is his goal to overturn such laws through civil disobedience, then I wish him the best because all such laws should be overturned. However, I seriously doubt that an outsider can enter a foreign country with realistic expectations of changing the law. Such change usually comes from the inside.

Dr Michael Shermer

Altadena, California, USA

25 September 2000

* * *

Prozeß gegen Dr. Fredrick Töben

Am 8. und 10. November 1999 fand vor dem Landgericht Mannheim der Prozeß gegen den Direktor des Adelaide Instituts, Dr. Fredrick Töben, statt (Aktenzeichen: 5 Kls 503 Js 9551/99, Besetzung des Gerichtes: Vorsitzender Richter am LG Kern, Richter am LG Schmetzer, als Schöffen Christa Ehmann, Ronny Kriek, Staatsanwalt: Hans-Heiko Klein). Die Anklage lautete auf Volksverhetzung, Verunglimpfung des Andenkens Verstorbener und Beleidigung. In dem Haftbefehl vom 9. April 1999 (Geschäftsnummer: 42 Gs 830/99) heißt es u.a. Töben habe 'aufgrund mehrerer selbständiger Willensentschliefungen jeweils aufgrund einheitlichen Willensentschlusses seit 1996, so unter anderem zuletzt in den Monaten Januar bis April diesen Jahres.

von Adelaide/Australien aus u.a. monatlich die von ihm verantwortlich verfaßten Adelaide Institut/Newsletters, ... per Post u.a. an Empfänger im Gebiet der Bundesrepublik Deutschland versandt und auch - inhaltsgleich - per Internet weltweit verbreitet.

In diesen Rundbriefen behaupte und führe der Beschuldigte häufig unter Verwendung angeblicher Zitate, sowie unter Hinweisen auf u.a. im Internet abrufbare 'weiterführende' Literatur - jeweils bewußt der historischen Wahrheit zuwider, unter zumindest teilweiser Identifizierung mit den nazistischen Verfolgungsmaßnahmen, in pseudowissenschaftlicher Art, getragen von den Tendenzen, den Nationalsozialismus von dem Makel des Judenmordes zu entlasten, gesteigert und intensiv auf die Sinne und Leidenschaften der Leser einzuwirken, unter Leugnung des von den nationalsozialistischen Machthabern geplanten Vernichtungschicksals der Juden, der Leugnung der Existenz von Gaskammern zur Massentötung von Juden, unter der Verunglimpfung der Überlebenden des Völkermordes und des Andenkens der während der Massenvernichtung ermordeten Juden, unter der Behauptung, die Massenvernichtung stelle eine Erfindung der

Juden dar und diene der Unterdrückung des deutschen Volkes, u.a. folgendes aus, so beispielsweise in den am 08.04.1999 aus dem Internet abgerufenen 'Vierteljahresheften' ...

Die Staatsanwaltschaft führte als belastendes Material eine Reihe von Texten aus dem Internet (homepage <http://www.adam.com.au/fredadin/adins.html>) an. Außerdem wurden Töben Schriften zur Last gelegt, die er brieflich an Empfänger in Deutschland gesandt hatte, darunter ein Brief an eine deutsche Amtsrichterin. Weil er darin von der Verbreitung 'übelster Lügen' sprach, sah das Gericht den Tatbestand der Volksverhetzung als gegeben an. Seine Texte im Internet wurden hingegen vom Gericht als Beleidigung gewertet, weil sie im Internet nicht gezielt an bestimmte Nutzer gerichtet gewesen seien.

Dazu ist festzustellen, daß der Brief an die Richterin nicht öffentlich ist. Im Übrigen hat es zu Kriegsgeschehen immer wieder Berichte gegeben, zu denen der Ausdruck Verbreitung 'übelster Lügen' noch eine Untertreibung darstellen würde. So hatte es im ersten Weltkrieg Meldungen der Alliierten gegeben, die Verwertung von Kriegstoten beim deutschen Feinde betrafen: Am 16. April 1917 schrieb die Times, daß der US-Konsul nach dem Verlassen Deutschlands in der Schweiz berichtet hatte, daß die Deutschen aus den Körpern ihrer Kriegstoten Glycerin destillieren. Am 17. April 1917 gab es dann einen langen und detaillierten Bericht aus Leyden in Belgien über eine Deutsche Abfallverwertungsgesellschaft in der Nähe von Koblenz, wo Zugladungen entkleideter Leichen deutscher Soldaten in Bündeln angeliefert worden seien und gekocht wurden um Stearin und raffiniertes Öl zu produzieren. Am 18. April folgte der Abdruck eines Briefes von einem Mr. E. Bunbury mit dem Vorschlag, die Geschichte in neutralen Ländern bekannt zu machen, zum Beispiel für Mohammedaner und Hindus. Etwa 1923 schließlich sind diese Greuelmeldungen über den Kriegsverlierer als Propagandalügen aus Kriegszeiten entlarvt worden. Diese Meldungen als die Verbreitung 'übelster Lügen' zu bezeichnen, wenn sie heute noch verbreitet würden, wäre nach landläufigem Wortgebrauch wohl eine noch zu schwache Formulierung. Das Gericht hätte sich angesichts dieser kriegsüblichen Qualität von Propagandalügen also mit den Aussagen befassen müssen, auf die Töben sich bezog, ehe es ihn der Volksverhetzung schuldig befand. Daß es das nicht getan hat, zeigt, daß es für Deutsche nach dem zweiten Weltkrieg und seit Verabschiedung der Neufassung des §130 StGB kein Recht gibt, die zum zweiten Weltkrieg berichteten Greueltaten daraufhin zu untersuchen, ob sie ebenso erfunden sein könnten, wie die angebliche Verwertung von Kriegstoten im ersten Weltkrieg.

Entscheidend für die Anklage war, daß Töbens Aussagen nach Meinung des Gerichtes Verbrechen der Nationalsozialisten in Frage stellten oder leugneten. Der Prozeß fußte also auf Blockadegesetzen, die eine unbestimmte Version der Geschichtsschreibung über die

nationalsozialistischen Verbrechen zu einer endgültigen Wahrheit erklären, die nicht in Frage gestellt werden darf. Sie ist damit de facto das Staatsdogma der Bundesrepublik. Unbestimmt ist das Staatsdogma, weil es schon in dem Teil der Literatur, der nicht verboten ist, so viele Widersprüche in Berichten über Verbrechen der Nationalsozialisten gibt, daß auch der staatsgläubigste Bürger keine Chance hat, herauszufinden, was er glauben muß. Wer darüberhinaus die auch heute noch jederzeit nachprüfbare Indizienlage kennt, deren schriftliche und mündliche Wiedergabe jedoch in Deutschland verboten ist, der wird sich verduzt die Augen reiben und sich fragen, ob die Neuauflage deutscher Gesinnungsjustiz nur ein Albtraum ist.

Der Prozeß kann als dritter in einer Reihe von besonderen Prozessen des Mannheimer Gerichts aufgefaßt werden, die mit der Verurteilung Deckerts, der Abschiebung des Richters Orlet und der Verurteilung des Verteidigers Bock aus dem Deckert Prozeß nun einen weiteren Höhepunkt ideologisch orientierter Schöpfung neuen Rechts erreicht hat.

In den vorangegangenen Prozessen war es ebenfalls um Volksverhetzung gegangen. Die Öffentlichkeit hatte großen Anlaß, aufzuhorchen, als die Aussage in der Urteilschrift gegen Deckert, in der dem Angeklagten attestiert wurde, er sei eine starke Persönlichkeit, von den Hintergrundmächten zu einem Politikum hochgespielt wurde. Sie hatte das Mißfallen der Tugendwächter erregt, die wohl davon ausgehen, daß jemand, der am Holocaust zweifelt, keinerlei positive Charaktereigenschaften haben kann. Der politisch unerwünschte Satz in der Urteilsbegründung hatte zur Dispensierung des Richters Orlet geführt. Damit ist für alle, die nur etwas mitdenken können, offenkundig geworden, daß es in Deutschland keine Unabhängigkeit der Richterschaft gibt. Bald danach ist der damalige Verteidiger Deckerts, Rechtsanwalt Bock, wegen eines Antrages, den er in seiner Eigenschaft als Verteidiger gestellt hatte, wegen Volksverhetzung verurteilt worden. Somit ist auch die Unabhängigkeit der Anwaltschaft in den Sonderprozessen der Bundesrepublik abgeschafft worden.

Im Prozeß gegen Töben begann die Schöpfung neuen Rechts schon mit der Zulassung der Anklageschrift, die dem Angeklagten u.a. Taten vorwirft, die er in Australien begangen hat und die nach australischem Recht straffrei sind. Seine Internettexte sind in Deutschland nur zugänglich, wenn der Leser sie sich aktiv aus dem Internet herunterlädt. Dem Anbieter im Ausland daraus einen Vorwurf zu machen, kommt der Maßnahme eines islamischen Gerichts gegen einen amerikanischen Whiskeyfabrikanten gleich, der ein islamisches Land besucht und dort ins Gefängnis muß, weil er in den USA Whiskey verkauft hat, der in das islamische Land importiert wurde und gläubige Muslims zur islaminkriminierten Sünde des Alkoholtrinkens verleitet hat. Diese neue Rechtspraxis geht nicht vom Gesetzgeber sondern vom Landgericht Mannheim aus. Ob sie verfassungswidrig ist, wurde

bisher nicht überprüft. Gleichwohl erlangen die Urteile des Landgerichts, schon bald nachdem sie ergangen sind, Rechtskraft.

Motor der Recht schaffenden Innovationstätigkeit deutscher Justiz ist Staatsanwalt Hans-Heiko Klein, der in allen drei Prozessen die Anklage vertrat. Klein hat damit de facto in wichtigen Fragen die Rolle des Parlaments übernommen, das allein Recht schaffen darf, indem es Gesetze formuliert und verabschiedet.

Töben hatte Klein im Frühjahr 1999 aufgesucht, um mit ihm über den Holocaust zu diskutieren. Zuvor hatte er ihn mehrfach angeschrieben, um zu erkunden, ob er mit seiner Bitte um ein Gespräch über dieses Thema deutsches Recht verletze. Weil er keine Antwort erhalten hatte, war Töben davon ausgegangen, daß er sich mit seinem Gesprächswunsch im Einklang mit deutschem Recht befinde. Klein ließ ihn jedoch im Amtszimmer der Staatsanwaltschaft festnehmen. Er verbrachte vor dem Prozeßtermin sieben Monate in Untersuchungshaft. Im Prozeßverlauf erklärte Staatsanwalt Klein, die Briefe Töbens nicht erhalten zu haben.

Verteidiger war Rechtsanwalt Bock, also genau der Anwalt, der wegen eines Antrages, den er in Wahrnehmung seiner Verteidigungsaufgabe im Prozeß gegen Deckert gestellt hatte, zu 9000 DM Geldstrafe verurteilt worden ist. Wenige Tage vor dem Prozeßbeginn gegen Töben hatte Bock sein Wahlmandat niedergelegt, weil er zu der Überzeugung gekommen war, daß er als in dieser Sache bereits Bestrafter nicht die erforderliche Freiheit habe, seinen Mandanten Töben in einer dem Rechtsstaat gemäßen Weise zu verteidigen. Das Gericht hat ihn sodann als Pflichtverteidiger bestellt, was er als zugelassener Anwalt nicht ablehnen konnte. Er erklärte deshalb bei Prozeßbeginn, daß er die Pflichtrolle durch Anwesenheit wahrnehmen, aber nichts sagen werde, weil er fürchte, sich abermals strafbar zu machen, wenn er in Wahrnehmung seiner anwaltlichen Pflichten Entlastendes zugunsten seines Mandanten vorbringe. Die Verantwortung dafür, ob das dann noch ein rechtsstaatlich haltbares Verfahren sei, liege beim Gericht.

Das Gericht ließ sich davon nicht beeindrucken und das Verfahren nahm seinen Lauf mit einem stummen Pflichtverteidiger.

Töben hatte bei Prozeßbeginn erklärt, daß er zur Sache nichts aussagen wolle. So wurden die Prozeßstunden mit den Erklärungen der Staatsanwaltschaft und mit Verlesen von Passagen aus der Adelaide Homepage, Töbens Briefen und der Zeugenaussage des Kriminalkommissars gefüllt, der im Auftrage Kleins die Texte des Adelaide Instituts aus dem Internet heruntergeladen hatte.

In ihren Vorwürfen konnte die Staatsanwaltschaft nicht eine öffentliche Äußerung Töbens vorbringen, die nach herkömmlicher Alltagserfahrung verhetzend oder sonst etwas wie Haß enthaltend

gewesen wäre. Es lag auch keine Anzeige von einem Dritten wegen Beleidigung oder Verhetzung vor.

Was noch wichtiger ist: das Gericht setzte sich nicht mit der Behauptung der Staatsanwaltschaft auseinander, daß es 'angebliche' Zitate seien, die Töben verwendet habe. Ob es die Quellen, die er in seinen Schriften zitiert hat, tatsächlich gibt und ob er sie richtig zitiert hat, spielte keine Rolle. Auch die Behauptung, daß er 'in pseudowissenschaftlicher Art' argumentiere, wurde nicht überprüft. Kein Wissenschaftler wurde als Gutachter zu der Frage zu Rate gezogen, ob Töbens Schriften wissenschaftlich sind. Eine Sachinstanz hat es zur inhaltlichen Richtigkeit der Aussagen Töbens, die ihm als Volksverhetzung zur Last gelegt werden also in keiner Weise gegeben. Die Parallele zum mittelalterlichen Prozeß gegen Galilei, in dem die Inquisitoren sich weigerten, durch Galileis Fernrohr zu schauen, war perfekt.

Es ging ausschließlich darum, den Zielen der Staatsanwaltschaft zu genügen, die Berichte über Verbrechen der Nationalsozialisten vor jeder Diskussion schützen will. Das Falsifikationspostulat aus Poppers Buch *Objektive Erkenntnis*, das besagt, daß es keine endgültigen Wahrheiten geben kann und daß jede Aussage, die menschlichem Erkennen entstammt, nur den Charakter einer These haben kann, darf also in Deutschland nicht angewendet werden, wenn es um die Verbrechen der Vätergeneration geht. Das wurde im Prozeß gegen Fredrick Töben überdeutlich.

Die Presse berichtete durchaus nicht nur systemkonform. So zitierte der *Mannheimer Morgen* den Angeklagten mit der Aussage, die Ermordung in Gaskammern sei technisch nicht möglich gewesen: 'Wir sind darüber besorgt, daß es bis zum heutigen Tag unmöglich ist, eine Menschengaskammer zu rekonstruieren. Das ist wie ein Raumfahrtmuseum ohne Rakete oder wie ein Vatikan ohne Kruzifix'.

Daß auf diese Weise Hunderttausende deutscher junger Menschen, die eine systemkonforme Erziehung genossen haben, mit den vom Staate am meisten gefürchteten revisionistischen Gedanken infiziert werden, muß auf Dauer das System destabilisieren. Da tut Herr Staatsanwalt Klein dem Staate und seinem persönlichen Anliegen der Manifestierung des BRD-Dogmas einen Bärendienst.

In einem kurzen Augenblick des Prozeßgeschehens wurde die Selbstbezüglichkeit des Systems deutlich. Das Gericht hatte eine vereidigte Dolmetscherin bestellt, die auch den Gegenstand der Anklage, also Töbens englischsprachige Texte, ins Deutsche zu übersetzen hatte. Einen Text übersetzte sie unmittelbar im Gerichtssaal. Darin waren die Unabhängigen Nachrichten, ein Medium, das von der Staatsmacht wegen seiner Enthüllungen der Orwellschen Strukturen unserer sogenannten Demokratie gefürchtet ist, in der Abkürzung 'UN' erwähnt. Die Dolmetscherin, eine Dame im mittleren Alter, übersetzte 'UN' mit 'Vereinte Nationen'. Das blieb einige Sekunden so im Raume stehen.

Dann schaltete der Staatsanwalt sich ungefragt ein, offenkundig unter den Recht-Schaffenden der einzige Kenner der Zusammenhänge. Er korrigierte die Übersetzerin mit den Worten: 'Nein, Unabhängige Nachrichten'. Der Zuhörer lauschte gespannt, ob der Staatsanwalt vom Kammervorsitzenden als Übersetzungshilfe akzeptiert werde oder ob sich das Gericht zur Bedeutung der Abkürzung 'UN' noch einer unabhängigen und kundigen dritten Instanz bedienen werde. Aber der Vorsitzende hatte wohl gar nicht gemerkt, welcher Formfehler sich da eingeschlichen hatte. Hier wurde an einer Marginalie demonstriert, daß sich die Tautologien immer wieder selbst in den Schwanz beißen. Das Gericht hat die Unabhängigkeit, zu der es grundgesetzlich verpflichtet ist, auch formal nicht verwirklichen können. Es ist mutmaßlich nur der Erfüllungsgehilfe einer verdeckten Diktatur.

Töben selbst, der sein Leben in Australien zugebracht hat, war wohl von der dogmatischen Stringenz deutscher Justiz überrascht. Jedenfalls hat er am zweiten Verhandlungstage sein Schweigen gebrochen und festgestellt, daß es das Menschenrecht auf freie Meinungsäußerung gibt, das ihn auch in Deutschland schütze. Er lasse sich nicht von Herrn Staatsanwalt Klein geistig vergewaltigen. Der Berichterstatter mußte hier unwillkürlich an Martin Luther und sein berühmtes Wort: 'Hier stehe ich, ich kann nicht anders, Gott helfe mir,' denken. Gott hat Luther damals bekanntlich nicht vor der Verfolgung bewahrt und die Menschenrechte bewahren heute Töben ebensowenig davor. Er wurde zu zehn Monaten Haft verurteilt, wovon er – wie erwähnt – sieben Monate schon in Untersuchungshaft abgesessen hatte. Gegen Zahlung von 6000 DM Kaution wurde er auf freien Fuß gesetzt. Der Staatsanwalt hat Revision in Aussicht gestellt, weil er das Strafmaß für zu niedrig ansieht. Sein Strafantrag hatte auf 28 Monate Haft abgezielt. Töben hat angekündigt, sich der kommenden Revisionsverhandlung stellen zu wollen und nicht – wie es naheläge – sich in seinem Heimatland Australien dem abermaligen Zugriff der deutschen Justiz zu entziehen. Welche Wellen die Revisionsverhandlung in der Presse ziehen wird, bleibt abzuwarten.

Luther ist heute einer der großen Begründer der Freiheit eines Christenmenschen. Es ist den Schergen der damaligen Zeit nicht gelungen, das freie Denken zu ersticken und der Papst ist heute eine Randfigur des politischen Geschehens. Mutige Leute wie Töben schicken sich an, die Freiheiten der Bürger des Informationszeitalters im Denken und Reden durchzusetzen. Diese Rechte sind es, die uns zu Menschen machen. Sie sind Grundlage des Menschseins, ganz unabhängig von der an sich nebensächlichen Frage, was die Nationalsozialisten möglicherweise noch Schlimmeres oder weniger Schlimmes getan haben mögen. Worauf es ankommt, ist die Bereitschaft und die Freiheit der Menschen, als wahr erkannte Thesen zu überprüfen und nur die auch weiterhin für wahr zu halten, die den Überprüfungen standhalten. Das unterscheidet den Menschen laut Karl Popper von Tieren. Popper

führt als Beispiel die Amöbe an, die auch einen Erkenntnisapparat besitzt, der ihrem Überleben dienlich ist, weil er ihr mitteilt, in welcher Richtung sie schwimmen muß, um zur Nahrung zu kommen. Aber sie kann ihre Sinnessignale nicht überprüfen, weil sie sich keine geistige Vorstellung dazu bilden, weil sie nicht denken kann.

Möge das Gericht in Mannheim die Zeit bis zur Revisionsverhandlung gegen Töben nutzen, um Popper zu lesen. Möge der Mut Dr. Fredrick Töbens und anderer, die sich nicht bevormunden lassen, schließlich doch zu einem weisen Einlenken der Ordnungsmächte führen, und zwar noch ehe unsere freiheitlich demokratische Grundordnung ganz und gar unterhöhlt ist. Sonst wird die Staatsmacht unserer Bundesrepublik genau so verfallen wie die Macht der katholischen Kirche seit Dr. Martin Luther, nur rascher.

Willibald Gründer

[A German observer reporting on the Töben trial to a German audience.]

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Neo-Nazi accused of ‘racial hatred’ goes on the run

Jessica Berry and Chris Hastings

GERMANY has issued an international arrest warrant for a Holocaust revisionist who fled to Britain to escape a prison sentence for inciting racial hatred.

Police here have joined the hunt for Germar Rudolf, who has been on the run from his home in Stuttgart since 1995. If he is arrested on British soil, he faces extradition or deportation. One source close to the case said: ‘Concern about this man’s presence in Britain has been raised at the very highest level. The Home Secretary is likely to want to do all he can to help the Germans bring this man to justice.’

The warrant was issued three months after Rudolf was traced to the south coast by *The Telegraph*. He has not been seen at his home for some time and police have not ruled out the possibility that he may have left the country.

An internet site which he runs from a PO box address in Hastings was still being updated last week. It carried the message: ‘Germar Rudolf is alive and still free.’ The site also carries an appeal for funds and volunteers to help with the revisionist cause.

Rudolf, a former German air force pilot, was sentenced to 14 months in prison in 1995 for three counts of inciting racial hatred. He was found guilty of breaching Germany’s Holocaust denial legislation after he produced a study claiming that Jews did not die in gas chambers at Auschwitz.

Rudolf escaped to Spain where he stayed with a former Nazi general who had been a close friend of Adolf Hitler. But in 1996, fearing

that the German authorities were catching up with him, he moved to England.

David Irving, the Right-wing historian who is currently involved in a High Court libel action against Prof Deborah Lipstadt, one of his fiercest critics, was one of the first people Rudolf contacted when he arrived in Britain and both men have been supportive of each other.

The Telegraph, October 1999.

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Some unedited mail correspondence upon returning home

Name : Jennifer Dulwich (discussion@planetaccess.com)

Comment: In November last year, an Australian, Fredrick Toben, was released from a German prison after serving 7 months for expressing doubts about the Holocaust story, which is a crime in that country. Zionist (ie Jewish fascist) groups in Australia are now asking for a similar law here with the punishment being fines and imprisonment. These Zionists are the world standard bearers of hypocrisy and double standards. Who are they to say what we can and cannot say in our country?! Can you imagine the reaction if Australians told Israelis what to and not what to say in Israel! They are also clamoring for more war crime trials in which only some one who is alleged to have harmed a Jew is brought to trial. They aren't interested in bringing anyone who allegedly committed war crimes against Australians to justice. Anyone who allegedly harmed a Jew over 50 years ago is charged with 'crimes against humanity' yet tens of thousands of Palestinians have been murdered and tortured since 1948 and Israeli officers have admitted shooting prisoners and leaving others to die of thirst in the desert during their various wars (1956, 1967, 1973). They also continue to deliberately bomb clearly marked hospitals and schools in Lebanon after their 1982 invasion. Someone who speaks out for the rights of white people is automatically deemed dangerous by Zionists and usually termed a nazi, KKKer, racist etc. But it is now known that during the apartheid era in South Africa successive Israeli governments worked on covert operations with the White South African government including giving them info on nuclear weapons (see two books by former Mossad officer Victor Ostrovsky *By Way of Deception* and *The Other Side of Deception*). If a Jew is banned from speaking Zionists call this 'anti-semitism'. Yet they are experts at banning people they disagree with (including other Jews). David Irving was banned from Australia due to Zionist pressure because he stated the Holocaust is exaggerated and used for political and financial gain. A legitimate opinion in what is supposed to be a democracy yet he was banned even though ASIO and the Federal Police said there was no reason not to let him in. In Australia and other Western countries a climate of hysterical thought control and political correctness has engendered a

situation where if one casts doubt on the Holocaust story they are publicly vilified, pilloried and condemned yet at the same time if someone says 'I don't believe in God' no one batters an eyelid. Is the Holocaust a religion that is infallible? Two years after the banning of Irving, Salman Rushdie was allowed into Australia even though his *Satanic Verses* book angered millions of Muslims worldwide including some in Australia. Yet he was allowed here without any fuss. There are more Muslims in Australia than Jews so why does both Labor and Liberal cower to Zionist demands? Do they think Jewish concerns get more mileage than Muslim ones? Or are the two sold out parties of Australian politics receiving funding from Zionist sources?

Date Entered: Tuesday, March 14, 2000 at 17:02:23 (EST)

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Name : neville (nmanser@powerup.com.au)

Comment: Jennifer Dulwich, I am not a Jew, just a 4th gen' Aussie 'native' born. I am heartily fed up of 'new' angles on history because (yawn) of no reason other than 'let's have a new angle.' The holocaust did happen and it was the worst case of human depravity in 7,000 years. I hope in 7,000 years it will STILL be regarded properly as such (for 2 obvious reasons). The comparison, btw, of treatment to abo's is ridiculous. Random atrocities are not genocide. Genocide would have meant only a couple of thousand may have survived and today's population of abo's would have been impossible. Sometimes I WISH the Japanese HAD conquered Australia. a) I would never have been born and b) there would certainly be no abo's at all. ... now THAT would have been genocide. I get sick of the Voltaire approach ...' I may not agree with what you say, but I will defend to the death your RIGHT to say it.' Sounds good don't it? People who quote it usually can be counted on believing the first 8 words and that's all. Look, ok, fair enough, it's everyone's right to say what they like so long as it is not defamatory, liable to lead to disaster, etc (e.g. you do NOT yell 'FIRE!' in a darkened theatre for no good reason.) But, if new 'facts' are thrown up against old facts, the new ones must be expected to be challenged vigorously. For example, I am tired of the Palestinian 'We wuz robbed!' dirge. The Arabs just can't stand the indignity, the utter humiliation and the embarrassment caused by being tossed out by a smaller group in 1948. Also, they feel the same about the fact that a tiny (miniscule) force (no direct USA help as in 1973) belted hell out of them in 1967 in 6 DAYS!!! I still have an EB year book which records the arrogant, confident boasts by the Arab nations that they VASTLY outnumbered and encircled Israel and it would have NO hope of surviving. Face it, the Arabs were well and truly outwitted and out fought by a puny foe and the truth of that is plain too hurtful. So, ever since, it has been a belly ache about 'Give us our toys back! You didn't fight fair. You took our land by force and we want it back, waaah, sob, boo hoo, snuffle, not fair! You shoulda let us win.' I still love the cartoon of that week which showed a reporter asking an Egyptian guard, 'And you STILL say you heard nothing

unusual in the night?'.... in the background is a pyramid standing on its point.

Date Entered: Tuesday, March 14, 2000 at 20:04:10 (EST)

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Name : Justin Moxham (justinm@beyond.net.au)

Comment: It seems those who scream the loudest have the most to hide. I'm talking about the case involving Dr Francis Tobin of the Adelaide Institute of Australia, in which he served a seven month prison sentence in Germany (wait for it) for questioning the Jewish Holocaust. Unbelievable, seven months jail for speaking your mind. We all know how screwed up the world is already without witnessing this sort of global suppression of free speech. Everytime someone opens their mouth to question the Holocaust they're automatically branded a racist or Nazi sympathiser all because they either do not believe in the Holocaust or they disagree totally with the reported figures. Those who are familiar with British Historian David Irving cannot afford to ignore the exhausting research he has compiled together over many many years questioning the total number of deaths during the Holocaust. David Irving claims that around 2 million probably died and that was mainly due to disease and starvation and he claims that the gas chambers used were fakes which the Zionist Jews financed for the purpose of extracting money and guilt out of the rest of the world! That is the reason why David Irving was denied entry into Australia because he has enough evidence to blow the Holocaust out of the water and to expose it for what it truly is. That is one massive conspiracy to cover up the truth forever. The fact is, someone with the protential to expose the Holocaust to the rest of the world has finally come along and this has the Jews shitting in their pants and screaming the loudest of all. It's kind of ironic that the orders given to carry out the execution of Jews were ordered by none other than the worlds wealthiest and highly organised committee of jews, the Zionist organisation! David Irving claims that Hitler although he despised the Jews and considered them to be the lowest form of scum on the planet, believes Hitler did not give the final orders to carry out the execution of all Jews, Gypsy's and Blacks. In fact Irving claims he has evidence that clears Hitler of any wrong doing and says Hitlers only crime was that he hated all Jews. Whether or not David Irving is telling the truth the world cannot afford to ignore the research he has done nor can they ignore the Library containing over one million documents pertaining to the events during the Holocaust. Mr Irving has also interviewed thousands of Germans and Jews during the war who back up his own claims about the Holocaust. Claims that the figures are grossly exaggerated, and that the gas chambers used were faked. David Irving claims he also has evidence which proves over 9 million German POW'S were executed after the war by the American's. If this is true than the whole world is entitled to know about this biggest hidden crime and lie of the century! It seems the truth is always suppressed. And you can bet your boots this news pertaining to 9 million German POW'S killed after the war by American hands will never reach the

surface of the public arena, because the Zionist/Jewish owned press will see to that! The Zionist organisation poses the biggest threat to the world. It is them who financed the first and second world wars, and they planned world war three straight after the second world war. Although they're not the only organisation determined to make our lives hell, their are numbers of others on the planet who are obsessed with the concept of world domination. However the Zionists are potentially the biggest threat to mankind. One of their strategies of course is to introduce a new world order and to achieve this they use many options such as mixing cultures together the purpose being to wipe out individuality and racial unity. That's probably their number one biggest threat. Another one of their strategies (although it may sound far fetched and rather Hollywood in nature) is to plan a staged alien invasion with the purpose in mind of bringing the world closer together as one world, one people. Impossible you say! Well not really when you consider that all Aliens are man-made on earth thanks to advancements in genetic engineering! Try chewing on that one!

Date Entered: Wednesday, March 15, 2000 at 07:42:21 (EST)

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Name : Jennifer Dulwich (discussion@planetaccess.com)

Comment: Re:Comments by Neville nmanser@powerup.com.au I couldn't care less whether you are fed up with new angles on history. The point I was making was if Australia is a democracy David Irving should never have been banned from entering here simply because he has a dissident opinion. I hate double standards and hypocrisy and the arguments used to keep Irving out are full of it. People should not be fined and/or imprisoned if they question the Holocaust. It is definitely not the worst case of human depravity in 7000 years either. In the 1930's 7 million Ukrainians were deliberately murdered in an enforced famine by the Soviet government. Add to this the tens of millions of Russians, Belorussians, Latvians, Lithuanians, Estonians, Georgians, Armenians and other nationalities of the USSR who were shot, starved or slave labored to death in the gulag by Lenin and Stalin and you have a great case of depravity. Some historians say the Soviet communist death toll may be as high as 50 million (ie Robert Conquest who has written *The Great Terror*). As to these communist crimes and Israeli atrocities in the Middle East a murder is a murder no matter who commits the crime. Apply the war crimes laws equally or not at all. I never mentioned Aborigines in my mailing so I don't know why you mentioned them. But I'd rather be an Aborigine in Australia than a Palestinian in Israel. At least they aren't shot at. The war crimes trials in this country didn't achieve one conviction - \$30 million of taxpayer funds down the drain. This money could have been used for hospitals or nursing home improvements or any other decent cause. If Zionist fanatics want further trials in Australia of non Australians who are alleged to have committed crimes

against non Australians while not on Australian soil, then let the Israeli government pay for them.

Date Entered: Wednesday, March 15, 2000 at 13:30:50 (EST)

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Name : neville (nmanser@powerup.com.au)

Comment: This topic should not be on here as it takes away from the political ones of the moment. However ... Justin Moxham, everyone has the right to speak. That includes lies. I have never read such a bunch of idiotic sentences in the one space. But you have that right. Just as I have the right to opine that what you write is arrant nonsense. I never 'automatically branded (you) a racist or Nazi sympathiser.' You use such a phrase to create a strawman to draw sympathy to yourself. Your tactic is to keep denying the holocaust until the denial becomes 'established ' conventional wisdom. WW2 (and the preceding opener, WW1) was far too horrible and massive an event in human history to ever forget just in military terms alone. It did not need any embellishment by some fictitious massacre. Even some file footage of Jews in the Warsaw Ghetto made by Goebel's propaganda machine had to be shelved because it 'disturbed' the Germans too much. So, do you suppose they were going to show Jews being gassed in Saturday matinee newsreels? You quibble about the exact figures as if totting up a grocery bill! A million here, a million there, LIVES, that is! Even if, and I use the word very carefully IF, IF, IF, ONLY 2 million were disposed of, does that make it better?? HOW???? That's a bit like the doctor saying you have cancer, but, not to worry because it is a 'quick killer variety'! I don't care if Irving stands on his head all day and works his butt off ... that is no proof for his statements or conclusions. I could spend a decade trying to come up with proof on ANY subject, but the length of time I spent and energy expended does not, of themselves, lend one scintilla of validity to my 'findings.' Unfortunately, too many academics do not understand that either. Just suppose, I repeat SUPPOSE, for argument's sake alone that the Holocaust never happened. (I do not for one moment doubt it did, but I am just hypothesizing, so don't say I denied there was a holocaust.) Adolph Hitler MAY have gone down as another Napoleon. He did create a country virtually from ruins to one that almost succeeded in conquering the entire planet in less than a decade. He was the one who stopped the easy taking of Britain after Dunkirk despite the RAF. He was the one who decided to delay taking Moscow. He was the one who squashed the atom bomb idea when told of it. He was the one who declared war on USA ... not vice-versa! He could have had USA encircled by hostile powers and left to rot. He could have waited for the Nazi sympathizers in USA to take over. And today, we would have been standing next to statues of him all over the world. AND THAT'S WHAT MIGHT STILL HAPPEN!! Even in USA before 1942, there was a popular movement supporting the MASTER RACE concept and laws still EXIST that provide for elimination of weak genes. There is obsession with a drug free environment (Hitler hated drinking and smoking),

worship of the beautiful body (and I don't mean *Penthouse*), laws on top of laws restricting movement and freedoms - especially criticism of ones' betters, a mood against individuality to one of herd mentality, a tendency to blame victims for being victims and a plethora of other trends ... as long as the 'trains run on time!' With DNA technology set to skyrocket, the wildest dreams of Adolph and co' are set to become everyday, ho-hum, events. You give the impression of being anti-Zionist. Pal, the biggest threat is FROM the anti-Zionists just as they were in 1942. Maybe there is a Zionist plot. Frankly, I don't know nor do I much care. They, at least, are not delusional.

Date Entered: Wednesday, March 15, 2000 at 14:39:28 (EST)

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Name : Justin Moxham (justinm@beyond.net.au)

Comment: In response to Neville. It's my freedom of choice to submit my own topic on this board and I'll do so as I damn well please, thankyou. Nobody dictates to me what I can and cannot do, so I advise you to mind your own business. Of course though I respect everyones freedom of speech. In fact I love criticism. As far as your comments go concerning your own views pertaining to the events of the Holocaust, you talk quite a bit of nonsense yourself. I am not denying the Holocaust at all, although I personally believe the figures are less than two million dead. And no, I'm not simply brushing them off as a statistic. You blast off like I'm somehow responsible for the holocaust. As far as guilt goes. I feel absolutely no guilt for the Holocaust victims when considering the Jews are responsible for our current global mess world wide. Does it not register or raise any suspicion whatsoever in your mind that maybe just maybe the Jews are hiding something from us, especially when a person is jailed because they dare to question the Holocaust? Does it not bother you at all that such law could be passed here soon in Australia? Does it not worry you at all that our basic freedom of speech is coming to an end? Of course you couldn't because people such as yourself are to gutless and scared to question sensitive issues. People such as yourself are a threat to freedom of speech. You accuse me of knowing nothing, and yet you display your own lack of knowledge by simply dismissing my own views and the views of British Historian David Irving, who by the way knows more truth about the Holocaust than you'll ever learn in a thousand lifetimes. But of course you couldn't care less what Mr Irving has to say because your own fear scares you away from the truth. Like any other typical mainstream degenerate, you only believe what is written in the mainstream arena as well as what you see on TV. You're exactly like the rest of society. You're just another clone off the production line. Your brain acts as a reciever and the television is the remote switch controlling your every thought! In short you have a micro-chip implanted somewhere between your ears! Your brain is incapable of processing the truth. Try digesting this. 'They deem him their worst enemy who tells them the truth' PLATO. How true!

Date Entered: Wednesday, March 15, 2000 at 22:05:26 (EST)

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Name : neville (nmanser@powerup.com.au)

Comment: In response to Justin Moxham. It's my freedom of choice to submit my own topic on this board and I'll do so as I damn well please, thankyou. Nobody dictates to me what I can and cannot do, so I advise you to mind your own business. Of course though I respect everyones freedom of speech. In fact I love criticism. (hope you won't stand on copyright.) Meanwhile, you are now attacking because you have no defence. Let me luxuriate in a bit of ad hominem. You are the very style that I learnt, as a kid, to detest as the typical, stereotyped S.S. officer who shouted at his hapless and weak opponents. I was born after the war, but there were many, MANY people who I met and listened to about the terrible events that happened. This was not learnt from the safety of a TV set, but from actual, living, breathing people with full memories whose message was clear ... 'Don't let the BASTARDS (anti-semites) ever try this again.' I am not a Jew. But, I do know, as a Christian, where anti-semitism derives from and it is by far and away the worst form of racism there ever existed. A true reading of the bible, especially of Paul's letters, will see that any Christian who even derides a Jew is guilty of deriding God. Paul, had no vested interest in supporting Jews, they were after his hide. But, the Lutheran and Calvinistic based churches in continental Europe, together with certain Arab factions have always tried to stamp out the Jews. But, again, even if I concede, for the sake of debate, that the holocaust is a tad over-rated and that Stalin murdered far more people (which is true) just what is the big deal in minimizing the event? Revisionist history only perpetuates the very thing FEARED ... the relating and interpreting of events as seen BY those alive in the present. People who do not really appreciate the finer points of learning from history miss out on chances to stop repeating patterns. The present mandatory sentencing issue, todays regurgitated abuse of disabled people and single mums are examples that show how society has already shattered and is in pieces. I'm glad that management positions are starting to go. Maybe, then, the dole bludger bashing syndrome will weaken. The streets of Brisbane echoed today for the first time in decades to WORKERS demanding jobs! Not the prissy, furry or feathered creatures lovers demanding the pardon of a tree. Maybe when a few more of the intelligensia are tossed on the scrap heap the idea of actually helping people will become an interesting idea. Then, the Nazi lovers (not saying you are a Nazi) may find it harder to gain the attention they so richly undeserve now. Maybe, and it's only my perception, the surge in Nazi adoration is a sign that the 'born to rule' class is seeing it's grave being dug. For a little while, the height above the pit rises and all seems secure as those in the depths fall lower down ... until!

Date Entered: Thursday, March 16, 2000 at 01:25:32 (EST)

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Name : trueblue (beyondhope@clusterfuck)

Comment: It seems Hitler became powerful because he not only identified a path to power, he went on to exploit it beyond his

wildest dreams, though given the endless funding from 'you know who' & the long term & laterly undisturbed meticulous & ruthlessly planned build up, it is hardly suprising that he and his crew came exceedingly close to ultimate domination. Had he & his team been as sly as todays politicians then the world would not have heard of the horrific war crimes ... But alas power breeds arrogance & of course they were invincible, so in the end there would supposedly be no one to answer to!! The invincible ones of today have learned much in the past 2 score years or more ... The horror unleashed during 39-45 will be insignificant compared to that which the future will see ... and YES!! The law will protect the perpetrators!! See ... No crime!! ... No Time!! But even as it happens most Australians will still be saying 'she'll be right mate' No worries!! I wonder??? Mr Smirk says 11 consecutive quarters of continuous growth ... Is that really suprising when we suffered 28 consecutive quarters of stagnant or negative growth previously!! But really whats the point of 'Smirks' wonderous growth ~ when in the next breath he gives the nod to another notch up the interest tree ... Petrol up ... +GST ... has all the makings of a recession ... 'a recession' she'll be right mate!! No worries!!

Date Entered: Thursday, March 16, 2000 at 05:48:06 (EST)

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Töben offers his viewpoint

The whole issue about Irving and the Holocaust is this: Irving is an historian who has a much wider perspective on historical matters than those who have, for whatever reason, locked themselves into the conceptual prison called the Holocaust.

But it gets worse: concepts such as 'racist', 'antisemite', 'hater', 'Holocaust denier', 'neo-Nazi', etc. are designed to block an open enquiry on controversial topics.

In Germany one side of the debate is permitted to lie like hell about what happened during World War Two, while those that do not blindly want to believe - but rather wish to know - are hauled before the courts, then charged using any of the above concepts.

Truth is no defence in any of such proceedings. Think about it - what you say is not permitted to be tested for truth-content. That's throwing the proceedings back into the witch-trial era.

And we have a Zionist group in Australia, headed by Jeremy Jones, Dr Colin Rubenstein, et al, who want to control our thoughts. Yes, not only free speech is in danger here, it is the actual thinking process, something that is a reality in Germany.

A 72 year-old historian was sentenced to prison 'for the things he did not write'. Udo Walendy had all his books checked by a team of lawyers so as not to offend against the paragraph 130 that forbids anyone from saying anything positive of the war years. The sentencing judge then accused Walendy of actually insinuating things in his texts. Walendy denied the assertion but was found

guilty - at 72 he has spent 22 months already in prison, being released in May 1999. He now has another 15 months ahead of him.

And then we have armchair critics in Australia who do not think there is a danger to free speech here! The Human Rights Commission (HREOC) and the Racial Hatred Act are the precursors for this attack. Why? Because truth is no defence in any of their proceedings. The fact that a complainant merely has to show that he has suffered hurt feelings by what you have said or written is enough to find you guilty.

And then think on this: the massive allegation that Germans systematically exterminated European Jewry in homicidal gas chambers at Auschwitz is not permitted to be tested.

Irving offered to withdraw his action before the London court if the court travelled with him to Auschwitz and looked for the alleged four square gas insertion holes.

I travelled there and could not find them. I have thus looked at the murder weapon, and have formed a professional opinion that the homicidal gas chambers at Auschwitz did not exist.

The argument is a simple one - look at the murder weapon, that's what any police investigation focuses on when called out to a murder. At Auschwitz the holes are not to be found - and the story crashes.

So, just remain rational on this topic and don't let yourself be blackmailed into silence by someone attempting to knock you over the head with any of those concepts listed above.

They then fail to lock you up in their conceptual prison.

And it is liberating for an active mind that loves freedom to be free of this conceptual prison where only liars and the ignorant reside as wardens. Inside, well, there we have the ones who just go along with anything - so as not to upset someone's feelings. Never mind about the quest for a moral virtue such as truth-seeking.

If you deny me my freedom to think and to speak, then you deny me my humanity, and you commit a crime against humanity. Truth is my defence.

Fredrick Töben

info@adelaideinstitute.org

www.adelaideinstitute.org

* * *

www.Hatewatch.com

Hate Sites in Australia

For information on the state of online hate in Australia: **'Racism on the Internet'**

Australian B'nai B'rith Anti-Defamation Commission

The groups listed below represent only those that are catalogued at HateWatch.

Adelaide Institute

'We are not 'holocaust deniers'. We proudly proclaim that to date there is no evidence that millions of people were killed in homicidal gas chambers. That is good news all round. Why would anyone find this offensive? We are celebrating the living who were thought dead. How can this be an offense - unless it offends those who have their snout in the trough which Jewish academic, Dr. Frank Knopfelmacher called, 'the Holocaust racket'.

Access : <http://www.adam.com.au/fredadin/adins.html>

Annwn Publications

'The fact is, the Holocaust is about money, legitimacy for Israel, and the total denial of any moral failings (or evilness) in the Jewish people. Jews are outraged when it is mentioned that many gypsies and Russians suffered the same fate as Jews, because to compare a sub-human to a Jew is unspeakable. The Jewish scripture declares that the life of a Jew is the most priceless thing to 'god' and the life of a non-Jew or 'goy' is worthless. The Jews have a history of crying 'holocaust'.

The Talmud cites examples of many billions of Jews being killed (including children being burned). Needless to say, there have never been that many Jews on the face of the earth. The same falsification and embellishment is true with regard to the 'holocaust' of World War II. Many Jews died, but not the six million that is claimed. Perhaps a million died, none from gas chambers. Red Cross documentation which Jewish controllers refuse to release, is suspected of suggesting that some 100,000 were lost.'

Access : <http://www.alphalink.com.au/~jdm/index.htm>

Bible Believers

'The main discovery that such an examination will reveal is this fact: the revolution was not the work of Frenchmen to improve France. It was the work of aliens, whose object was to destroy everything, which had been France. We have the names of several of them, and it is clear that they were not British, or Germans, or Italians, or any other nationals; they were, of course, Jews. Let us see what the Jews themselves have to say about it: 'Remember the French Revolution to which it was we who gave the name of 'Great.' The secrets of its preparation are well known to us for it was wholly the work of our hands.'

Access : <http://www.biblebelievers.org.au/>

Drumbeat

Kriegsbericht Vol. 2 brings you 'interviews (including tons of concert footage) with: Brutal Attack, No Remorse, Stigger, Entwarnung, Freikorps, Konkwista 88, Totenkopf, Mistreat, Razors Edge, Aryan and Noie Werte and also Skinhead Girls, Tattoos, Top 10 Charts, Action report on DNSB, 'black' humour and much, much more...' Running Time: 2 hours 40 minutes.

<http://www.ozemail.com.au/~drumbeat/>

Fortress
'Victory or Valhalla'

Access: <http://www.eisa.net.au/~fortress/gwp1.html>

National Action

'ONE AIM: AN INDEPENDANT WHITE AUSTRALIA... National Action rejects all of this. We aim to preserve and promote this European Nation in the Southern Land. We look to no-one but ourselves to achieve this: only the ideal of true independence will be accepted in this very real struggle for national freedom, and so Nationalists reject the fraud of Westminsterism and constitutional links to Britain and its royal family, which is so committed to internationalism - we fly the Eureka Flag, the symbol of an Independent White Australia. National Action cultivates a spirit of militancy in its political activity. This is a political struggle but it is also a fight for Australia's very survival. The organisation has become known for noteworthy street action and demonstrations. Its campaign posters and recruitment material use forthright slogans which make no secret of our rejection of Asianisation.'

<http://www.adelaide.net.au/~national/>

National Socialist German Workers Party / Australia

Conscience is a Jewish invention. Like circumcision it is a mutilation of the human being. There is no truth, either morally or scientifically. Every act makes sense, even a crime. All passivity, all standing still, on the other hand, is senseless. Thus we have the German God given right to annihilate everything that stands still.

<http://www.ns.aus.tm/propaganda/index2.html>

This is the Hatewatch site that does not give anyone natural justice, that is, a right of reply.

I say: Better a Holocaust denier than a Holocaust liar!

* * *

Revisionism in Australia

This article covers the important role of individuals and of personal initiative in Holocaust revisionism; whether the Holocaust has become not the hoax of the 20th century but the bore of the 20th century, my experience in Australia; the importance of asking questions; the need to support Dr David Irving, and lies by Professor Deborah Lipstadt about Holocaust revisionism in Australia. It also covers possible steps to combat Holocaustomania, including satire; the fact that Holocaust revisionism is not necessarily Holocaust denial, anti-Semitic or right wing; and the failure of free speech groups such as Amnesty International to support free speech for dissenting historians.

Credit should be given to the Institute for Historical Research (IHR) for organising a conference in 2000 keeping Holocaust revisionism on the road. The work of Dr Robert Faurisson, David Irving, Ernst Zündel,

Bradley Smith, Mark Weber, Greg Raven, Ted O'Keefe and Robert Countess now supplemented by Jürgen Graf, Germar Rudolf, Dr Fredrick Töben and Carlo Mattogno has made historical revisionism widely known. Webmasters, such as David Thomas and Ingrid Rimland, who have created the excellent websites of Smith, Zündel, Irving, the Adelaide Institute and the IHR, are critical in promoting historical revisionism.

Historical revisionism has made great advances in recent years. Although Faurisson is pessimistic about the future, more people have become aware of the Holocaust revisionist position on the Holocaust and many agree with it. Many of the actions taken against Holocaust revisionism such as the imprisonment of Töben in Germany, censorship of historical revisionist books in Germany and Canada, and the refusal of visas for Irving to enter Australia and Canada have, as Faurisson would say, been bad for revisionists but good for revisionism.

I do not take *The Protocols of the Elders of Zion* very seriously but I remember one sentence: 'There is nothing more dangerous than personal initiative'. The most important thing I have done for Holocaust revisionism, apart from placing revisionist material in all Australian newsagents each year in the annual ACLU publication, *Your Rights*, was to hand a flyer to Bradley Smith outside a Skeptics' convention in the early 1980s which was the direct cause of him becoming a revisionist. Although Smith says the person who handed him the flyer looked remarkably like himself, the only people handing out the flyers were David McCalden (who, together with Willis Carto, founded the IHR) and myself. Many revisionist activists will know what I mean by the importance of personal initiative and the persecution they often suffer as a result of their personal initiatives. Revisionists such as Irving, Faurisson, Graf and Töben have been subjected to great pressure in recent years but are still active and very effective. Some Holocaust revisionists such as David Cole and Joel Hayward have succumbed to pressure and to a greater or lesser extent have recanted.

Although I have been described as the leader of the Holocaust revisionist movement in Australia I gladly pass the mantle on to Fredrick Töben, especially if that means I can avoid going to prison! Töben advises me, though, that he likes to make himself dispensable in any 'movement' because 'no one is indispensable'. I have had it very easy in Australia compared with the experience of revisionists in other countries. Since some of the stock of *Your Rights*, 1984 containing Holocaust material was destroyed, I have faced legal proceedings to stop the distribution of *Your Rights* on three occasions, many invitations to speak on radio and TV have been withdrawn at the last moment and I have been subjected to much vilification. Thus I was described as a 'pathological raver' in *The New Statesman*, and 'possibly more evil than Himmler and Pol Pot' in *Quadrant*. A play performed in Australia in which I was the central character referred to me as a professional propagandist who pretends to

be a guardian of civil liberties, and a review of the play said that attendees at the play left with an eerie feeling of evil.

What is the future for Holocaust revisionism?

Holocaust revisionism will thrive if more young people such as Germar Rudolf become involved, and if all supporters of the IHR exercise personal initiative, especially by using talkback radio, writing letters to the editor and giving financial support. For instance, financial support should be given to Irving who did much to give publicity to aspects of revisionism in the recent action for libel he took against Deborah Lipstadt. The ACLU has called for such donations through its recently created website (<http://go.to/aclu>) and information about how to make donations can be obtained from Irving's website (www.fpp.co.uk). Irving's brilliance as an historian is reflected in reviews of his books set out in *Your Rights*, 2000.

The Holocaust has become a new religion and steps should be taken to demythologise it. A *Private Eye* spoof said that 6 000 000 viewers had died of boredom from watching too many Holocaust films, while another spoof said that a self-portrait of Hitler had been taken to Israel to be charged with war crimes. I have used some of the early cartoons of Bradley Smith in his *Smith's Journal* extensively in Australia in a back-to-back flyer with the *Private Eye* material, to ridicule the religious aspects of the Holocaust dogma.

It is often said that revisionists are 'Holocaust deniers', 'anti-Semitic' and right wing. This may apply to some but, as Vidal Naquet pointed out in *Assassins of Memory*, many cannot be so easily categorised. Revisionists such as Smith and myself are libertarian supporters of free speech who are opposed to censorship and victimisation of dissident thinkers.

Amnesty International fails to act

Although the ACLU has defended freedom of speech for the IHR some free speech groups such as Amnesty International have run for cover.

The charter of Amnesty International states that its aim is fight arbitrary victimisation of people because of their beliefs and to secure the release of prisoners of conscience – people imprisoned for their beliefs that have not caused or advocated violence. As a long-standing member of Amnesty International I had always been interested in its activities and assumed it would be fearless in taking up cases within its charter. The response of Amnesty International to my first-ever letter to it was an eye opener (as with the response of my first-ever complaint lodged with the ABC which led to an attempt by the ABC to stop distribution of *Your Rights*, 1998). The ACLU wrote to Amnesty's headquarters in London on 17 January 1995 to draw its attention to the persecution of 15 revisionist historians who had challenged various

aspects of the official version of the Jewish Holocaust in World War II. The ACLU said the persecution of revisionists was a world-wide phenomena and included jail, dismissal from employment, confiscation of books, destruction of the printing plates of books, revocation of university degrees, physical violence, assassination, being forced to live in exile, and attempts to censor their views on the Internet.

Among the 15 examples, the ACLU referred to the case of Dr Wilhelm Stäglich, whose book, *The Auschwitz Myth*, was banned, and the printing plates for the book destroyed. Stäglich, a former German judge, had his doctorate degree revoked by Göttingen University, ironically under a law passed by the Nazis.

David Irving was fined by a German court for defaming the memory of the dead by claiming that the gas chamber shown to tourists in Auschwitz was built after the war: the claim is now accepted as true by the curator of the Auschwitz Museum and most historians. This conviction is used by Australia as a reason to exclude Irving from Australia and major publishers are pressured into refusing to publish his books after he began to query the extent of the Holocaust.

Robert Faurisson, an authority on the poet Rimbaud, was forced out of his position at the University of Lyon in France, and has faced numerous civil and criminal court proceedings under anti-racist laws costing him a huge amount in legal costs, damages and fines. He has been assaulted on several occasions and was hospitalised after one incident with severe head injuries. Another Frenchman, Henry Roques, had his doctorate on Kurt Gerstein, the SS officer who supplied fumigant gas to concentration camps revoked – the first revocation of a doctoral thesis in French history.

Despite six letters to Amnesty's headquarters requesting a response to the ACLU letter, numerous letters and phone calls to its Australian office, and a visit by an ACLU representative to Amnesty in London, none of the letters have even been acknowledged, and no explanation given as to why Amnesty International will not take up the cases referred to it for action, which are clearly within its charter. Some members of Amnesty International in Australia have resigned because of the hypocrisy and lack of courage of the organisation.

Since 1979 I have queried the extent of the Jewish Holocaust in World War II. I have done this because I believe, as a lawyer, that allegations – especially those that cause offence to an ethnic group, in this case Germans – should not be made without supporting evidence. The lack of supporting evidence for the 'official' version of the Holocaust has led to a series of dramatic modifications to the official version. For instance the official death toll at Auschwitz has recently been reduced from 4 000 000 to just over 1 000 000. Many other concessions have

been made. These modifications would not have been possible without freedom to discuss the issues.

People who query the extent of the Holocaust are often called Holocaust deniers. I have been described by Gerard Henderson as the leader of the 'Holocaust denial' movement in Australia. I reject the claim that I am a 'Holocaust denier'. I query the extent of the Holocaust as I indicated in a letter to *The Age* on 19 December 1996. I have asked a series of questions about the extent of the Holocaust. These questions were set out in *Your Rights*, 1995. No-one has ever attempted to answer my questions that have been widely distributed to historians and 'intellectuals' in Australia and elsewhere. If the 'facts' about the Holocaust are as indisputable as alleged by those seeking to silence revisionist historians, why do these opponents of freedom of speech not arrange for queries about the extent of the Holocaust (as for example set out in my paper, 'Some questions about the Holocaust') to be answered? A paper I gave at the first IHR conference in 1979 emphasised the importance of asking questions. *Your Rights* was first published in 1974. All editions of *Your Rights* since 1984 have contained historical revisionist material. *Your Rights* is available in most newsagents and bookshops in Australia and is the most commonly used layman's guide to the law in Australia. The response of people who support the 'official' version of the Holocaust to those who query its extent is character assassination, misrepresentation and suggestions that it should be a criminal offence to query the extent of the Holocaust. No Australian has ever been prosecuted in Australia for challenging the official version of the Holocaust.

While I concede that the exercise of freedom of speech can cause offence to people including some Jews who are offended by historical revisionists, I invite those seeking to prosecute and imprison revisionists to consider the offence given to people of German extraction by what Jewish commentators refer to as 'Holocaustomania'. I also draw their attention to references by the Jewish linguist, Noam Chomsky, to the deeply 'totalitarian mentality' of some of those seeking to suppress historical revisionism and his claim that there are 'no necessary anti-Semitic implications in querying the existence of gas chambers'.

Claims that those querying the extent of the Holocaust are 'anti-Semitic' and 'right wing' are incorrect. Many revisionists such as Murray Rothbard, David Cole (a former revisionist) and J.G. Burg are Jewish. Arno Meyer, a Jewish historian, has expressed doubts about the official version of the Holocaust. As I pointed out in a letter to *The Australian* on 5 May 1999, Chomsky, who wrote a preface for a book by Faurisson, said there were no anti-Semitic connotations to challenging the Holocaust dogma.

Nor are historical revisionists necessarily right wing. Organisations I belong to such as the Fabian Society and the Society of Labor Lawyers are often described as 'left wing'. Vidal Naquet described me as 'extreme left wing'. I do not accept the left-right dichotomy and wrote an article to that effect in *Quadrant*, Australia's leading public affairs magazine. I describe myself as a politically eclectic cynic. I believe many other revisionists, such as Faurisson, could be similarly categorised. I also do not accept that controversy about the extent of the Holocaust is a left-right issue. It is a question of historical fact, revolving essentially about the presence or absence of contemporaneous documentary evidence. It is the absence of contemporaneous documentary evidence that makes the revisionist case so compelling. A paper by David Botsford, which contains a defence of the right of revisionists to conduct research and publish their findings, refers to left-wing and Jewish revisionists.

The extent of the Jewish Holocaust is freely discussable in Australia. *Your Rights*, which contains historical revisionist material, is readily available. I have never been threatened with criminal prosecution. In 1979, when I first began to believe the extent of the Holocaust had been exaggerated, I was interviewed at length on several Australia-wide television stations and my views were reported in most of Australia's major newspapers. I have been reported in the media on many occasions since then and as recently as 20 April 1999 I was interviewed for a nationwide television program on ABC-TV. Töben and other members of Adelaide Institute were extensively quoted on the program. SBS-TV ran a similar nationwide program on 20 May 1999.

Almost all the commentary in the Australian media about Töben's arrest was critical of the heavy-handed and counterproductive action by German authorities in arresting him. He was in prison for seven months and then released upon the payment of DM6000 bail. This was for something that is not an offence in Australia, following an arrest that could be regarded as entrapment for alleged offences arising from historical research and the exercise of free speech. Almost all the publicity in Australia has created a renewed interest in revisionism and has caused speculation as to whether Germany is a fully democratic country. Some commentators have equated the hostility of the German authorities towards freedom of speech with the hostility of the national socialists to freedom of speech. The blow to Germany's reputation as a democratic society has not been confined to Australia, with adverse publicity about Töben's arrest in many other countries such as the United Kingdom.

An article in *The Sydney Morning Herald* states that the Jewish Holocaust is one of the most thoroughly researched subjects of modern history. However, there are no wartime documents to

substantiate claims that there was a plan to exterminate Jews, that there were mass gassings and that 6 000 000 Jews died. The Wannsee Conference, often cited as evidence of an extermination plan, does not mention such a plan or refer to gassings. The official figure for deaths at Auschwitz has been reduced from 4 000 000 to just over 1 000 000, surprisingly, without affecting the near-sacred dogma that 6 000 000 Jews died in the Holocaust and the camp records indicate a much lower figure. The high death rate in the camps was almost entirely due to typhus, which was combated by the use of a fumigant, Zyklon-B, that was also used in the armed forces. It has been argued that Jews may have suffered more than any other group in the war, especially from the activities of 'Einsatzgruppen' squads on the Eastern front but there is no need to exaggerate the extent of their sufferings or to jail revisionists querying the extent of the Holocaust.

The German legal system seems to proceed on the basis that assertions about history can be illegal one day with heavy attendant penalties, including jail, but can become legal and unpunishable overnight, or vice versa. George Orwell's novel *1984* refers to the role of a 'big brother state' in controlling history on the basis of 'who controls the present controls the past. Who controls the past controls the future'. In 1984 Winston Smith works in the Ministry of Truth, which dictates what happened in the past. Can Germany be compared in a limited way to Orwell's nightmare society? A bizarre situation prevails in Germany, whereby someone querying the official figure of deaths at Auschwitz before the figure was reduced, or claiming that the structures shown to tourists at Auschwitz as being a gas chamber before the acknowledgement by Auschwitz officials that the structure was built after the war, or claiming that there were no execution gas chambers in Germany in places such as Dachau and Buchenwald before the official acknowledgement to this effect by Martin Broszat, suffer the sort of persecution now being suffered by Töben and many other researchers such as Günter Deckert who are 'prisoners of conscience' because of their beliefs.

As I have pointed out in several issues of *Your Rights*, it is bizarre that the only aspect of history which cannot be questioned in some countries in Europe is the extent of the Jewish Holocaust. As the noted British writer, Auberon Waugh, asked, writing in London's *Daily Telegraph*, 'are the truths on which the Holocaust relies so flimsy that they need smears to protect them, coupled with prison sentences like those now imposed on Germany, Austria and France, on any historian who ventures to challenge any aspect whatever of the Holocaust?'. Professor Gordon Craig, writing in *The New York Review of Books*, stated:

... it is always difficult for the non-historian to remember that there is nothing absolute about historical truth. What we

consider as such is only estimation, based upon that the best available evidence tells us. It must constantly be tested against new information and new interpretations that appear, however implausible they may be, or it will lose its vitality and degenerate into shibboleth. Such people as David Irving have an indispensable part in the historical enterprise and we dare not disregard their views.

The names of Töben and the many historical revisionists who have been persecuted and imprisoned in Germany because of their beliefs could be added after that reference to Irving.

John Bennett

Melbourne, Victoria, Australia

13 August 2000

* * *

Töben's Choice

On 10 October 2000 the Australian government's Human Rights and Equal Opportunity Commission (HREOC) ordered the Adelaide Institute and its director, Dr Fredrick Töben, to remove from its Internet website material that 'denies the Holocaust' and to issue an abject written apology to the country's Jews. HREOC Commissioner Kathleen McEvoy declared that the Institute had violated the country's *Racial Discrimination Act 1975* by posting material whose main purpose was to denigrate Jews. The material, 'none of which was of a historical, intellectual or scientific standard', she declared, should be banned because it is 'bullying, insulting and offensive'.

The order came in response to a 1996 complaint by the Executive Council of Australian Jewry (ECAJ), the country's most influential Jewish community organisation. Welcoming the order, the ECAJ vice-president Jeremy Jones said, 'Töben's Holocaust denial is offensive, insulting and, as HREOC has now confirmed, unlawful'. He added, 'The Commissioner has demonstrated an understanding of the need to apply laws which cover ... the Internet and has also endorsed the view expressed in other jurisdictions that anti-Semitism masking as pseudo-history is as pernicious as more overt forms of racial hatred'. Peter Wertheim, a Jewish community leader and ECAJ lawyer in the legal action, said, 'This is a landmark case because it deals with hate on the Internet, and it's the first in Australia, and quite possibly anywhere in the world, to have done so'.

Consistent with his attitude throughout this legal battle, Töben immediately declared his defiance of the HREOC order, saying that he would not apologise for posting 'factually correct material'. The only consideration for the HREOC, he noted, is whether Jews were offended by the posted material. 'I shall do nothing', he said, 'because I consider

the proceedings [that led to the order] to have been immoral because truth was not a defence’.

In persistently protesting against the HREOC’s standards and procedures, Töben has noted that in such ‘human rights’ cases the truthfulness or accuracy of the material is not a consideration. He said, ‘Truth is not a defence. I cannot defend myself against someone’s hurt feelings’. In September 1997 Töben walked out of a preliminary hearing regarding his publications. ‘I cannot proceed’, he declared, ‘because if truth is no defence, the lie must prevail. We have an inquisition here’. He also withdrew from the public hearing scheduled for November 1998, protesting that he and the Adelaide Institute were being denied ‘natural justice’.

Early on in his legal battle with Australia’s ‘human rights’ enforcers, Töben had an important choice to make. How should he respond? Should he fight for his rights (and the rights of many others) by defending himself to the best of his ability in an arena in which the rules of the game are starkly against him, or should he refuse to cooperate in this judicial farce?

Ernst Zündel in Canada faced the same dilemma. Acting on a complaint from a Jewish group, a similarly named ‘Human Rights Commission’ had brought the German-born publicist and civil rights activist before a Toronto ‘Human Rights Tribunal’ on charges that material posted on the USA-based ‘Zundelsite’ is ‘likely to expose [Jews to] hatred or contempt’. In this case as well, the truth or validity of the allegedly offensive material is irrelevant. In spite of this, Zündel decided — as he had in an earlier case that resulted in high-profile trials in 1985 and 1988 — to fight every step of the way, not only for himself, but also on behalf of millions of fellow Canadians. (In that earlier case he was ultimately vindicated when, in August 1992, Canada’s Supreme Court acquitted him, declaring the law under which he had been prosecuted to be unconstitutional.)

I experienced first-hand some of the absurdity and hypocrisy of Zündel’s case as a witness on his behalf. After being qualified in December 1998, I testified for three days in early October 2000 (shortly before the HREOC in Australia issued its order against Töben). Lawyers representing powerful Jewish organisations, including the Simon Wiesenthal Center and the Canadian Jewish Congress, were on hand to silence a lone man with no power and precious little public influence. These same Jewish groups that demand, in the name of ‘human rights’ that Zündel be silenced, have well-documented records as staunch defenders of, and apologists for, the Zionist regime in Israel that routinely, and as a matter of state policy, oppresses people on the basis of ancestry. (A few weeks after I testified, Zündel abruptly concluded his defence with a motion for a dismissal of the case on the

grounds that the statute under which he was being prosecuted is unconstitutional.)

Töben made a different decision. In proceedings that are inherently unjust, he chose non-cooperation.

No one can say for certain which response is the correct one. Each has its own logic and its own drawbacks. But there is a nobility in Töben's forthright refusal to cooperate with injustice – a principled defiance that reminds me of lines by the great 20th century Russian poet, Marina Tsvetaeva:

To you insane world
But one reply – I refuse.

If, as appears likely, Töben is imprisoned for his stand, he should be regarded as a political prisoner, no less worthy of support than dissidents in the former Soviet Union who were punished for expressing 'offensive' views on history after trials in which truth was no defence. Any narrowly focused or selectively applied law is inherently unfair. 'Holocaust denial' laws are unjust by their nature because they prohibit dissident views about only a select chapter of history, that is, the treatment of Jews during World War II. Standards for determining just what is offensive are, obviously, elastic and subjective. Many people feel offended or insulted by much of what appears in magazines and books, as well as on the Internet. That is life. If anyone wants to avoid being offended by what is on the Adelaide Institute website, or any other Internet site, he or she merely has to refrain from viewing the material. Simple.

To my knowledge, no government anywhere has attempted to censor Internet websites that present a pro-communist view of history, even though such sites presumably offend many former victims of communism. Perhaps nothing better underscores the double standard in operation here than to point out that no governmental authority anywhere has called to account any prominent Jewish figure for making patently offensive statements. Two examples:

- Edgar Bronfman, president of the Jewish World Congress, at a meeting of Jews in Montreal in 1989 called Austrians 'dirty, anti-Semitic dogs' for their refusal to renounce Kurt Waldheim as their country's president.⁵
- Elie Wiesel, the Nobel Prize laureate who is a kind of 'high priest' of what even some Jewish writers aptly call the 'Holocaust cult', wrote in his book *Legends of Our Time*, 'Every Jew, somewhere in his being, should set apart a zone of hate – healthy, virile hate – for what the German personifies and for what persists in the German'.

In practice, only the politically powerful are able to translate their notions of what is offensive or insulting into law. The only serious

efforts – so far, anyway – to censor the Internet have, not accidentally, been in response to Jewish complaints.

The laws in various countries that criminalise scepticism of Holocaust extermination claims are the result of a well-organised, long-term Jewish campaign. In 1982 the Institute for Jewish Affairs in London, an agency of the Jewish World Congress, announced that it was launching a worldwide campaign to persuade and pressure governments to outlaw ‘Holocaust denial’.⁴ The anti-revisionist ‘thought crime’ laws that have subsequently been enacted in several European countries, as well as in Australia, reflect the success of this initiative. Underscoring the organised nature of this campaign, in June 1998 the International Association of Jewish Lawyers and Jurists called for new and more severe laws against Holocaust revisionism.⁵

By an objective standard, Töben, and all ‘Holocaust denier’ criminals in Germany, France and elsewhere, deserve the support of ‘human rights’ organisations, such as Amnesty International, and of internationally prominent newspapers. Their failure to speak out against this patent injustice is, of course, no mystery. Their shameful silence is an expression of fear – fear of a power that only Jews, it seems, feel free to identify. Not long ago, the prominent French Jewish writer Alain Finkielkraut boldly declared:

Ah, how sweet it is to be Jewish at the end of this 20th century! We are no longer History’s accused, but its darlings. The spirit of the times loves, honors, and defends us, watches over our interests; it even needs our imprimatur. Journalists draw up ruthless indictments against all that Europe still has in the way of Nazi collaborators or those nostalgic for the Nazi era. Churches repent, states do penance ...⁶

‘Imprimatur’ – there is an apt term.

The effort to censor the Adelaide Institute is particularly ominous because it comes in a country with a fairly strong tradition of free speech and civil liberties. If Australia’s Federal Court upholds the precedent-setting HREOC order banning Internet material, what will be next? Efforts to censor books, newspapers and television broadcasts that Jewish groups deem offensive or insulting? Or Internet censorship in other countries?

Fredrick Töben’s legal battle is important because it is a struggle against powerful forces that threaten the rights of everyone. It is therefore one that deserves everyone’s support.

Mark Weber

Costa Mesa, California, USA

December 2000

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Endnotes

- 1 Isidore Singer (comp.), *The Jewish Encyclopedia* (Funk & Wagnall's, 1907) under the entry, 'Gentile' p. 617.
- 2 Michael Lewis, *Worth Financial Intelligence*, May 1995, p. 102.
- 3 *Toronto Globe and Mail*, 8.5.1989.
- 4 *Jewish Chronicle* [London], 23.4.1982.
- 5 *Athens News*, 28.6.1998.
- 6 *Le Monde*, 7.10.1998.



Fredrick Töben at the gates to Auschwitz-Birkenau.



Fredrick Töben at the railway track at Auschwitz-Birkenau, which was laid in mid 1944.



Danish Year 10 students visiting Auschwitz: some were interested but most were not. This particular talkative guide could not answer the question asked of him by the accompanying teacher, 'What kinds of experiments did Dr Mengele conduct on the twins?'. 'We don't know because the Germans destroyed all the records'.



The swimming pool for inmates' use at Auschwitz.



A hole in the roof of Krema I. It is now admitted that this is all fraudulent work.



A hole in the roof of Krema II.



Two crudely cut holes at Krema II: the German responsible for making the holes would have been shot for shoddy work



A solid pillar is all that remains of the Krema III crematorium site.



The entrance to Auschwitz-Stammlager (base camp) with its famous inscription, 'Arbeit macht frei' (work liberates).



The gallows photographed on 16 April 1997, 50 years to the day of the hanging of Commandant Rudolf Höss for a crime that he did not commit.



To the left of the gallows is the alleged entrance to the homicidal gas chamber. This was the entrance to the air-raid shelter. When the building was fraudulently turned into a 'gas chamber', this entrance should have been removed.



The door to the alleged gas chamber with the obligatory 'peep-hole' in the door through which you can see just another wall.



Inside the alleged gas chamber – shown to millions of tourists and sold to them as an original gas chamber. Now Robert Jan van Pelt and Deborah Dwork in Auschwitz: From 1270 To The Present claim that it is a mere 'symbolic' representation of the gas chambers at Auschwitz-Birkenau.



Images of Krema I: a door inside the alleged gas chamber is made of wood.



The caved-in roof of Krema II at Auschwitz-Birkenau, destroyed by the Soviet Union's army. The story has it that the Germans blew up the building to hide their 'crime' but failed to destroy the architectural plans of the building.



Dr Töben enters the 'gas chamber' through one of the two holes which have been crudely cut into the concrete roof.



Close to the ceiling.



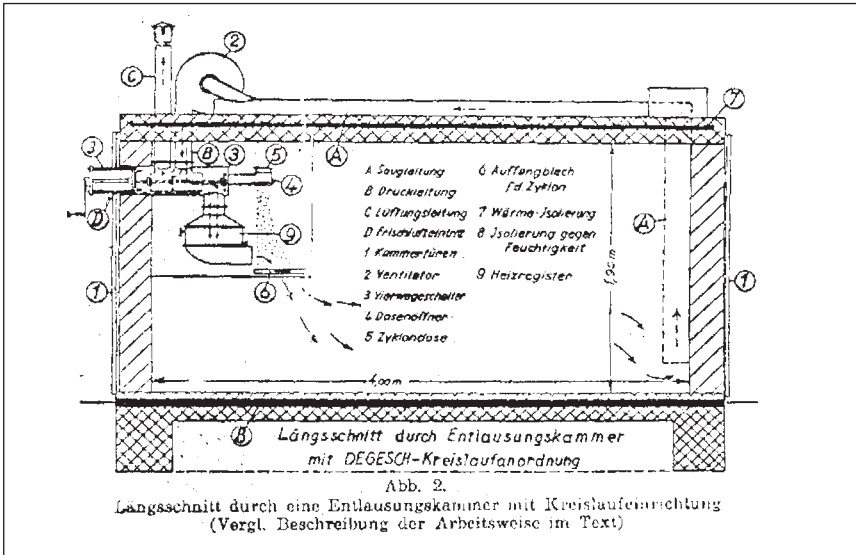
The pillars are not 'porous' and the ceiling does not show any of the four holes through which the Zyklon-B gas allegedly was thrown.



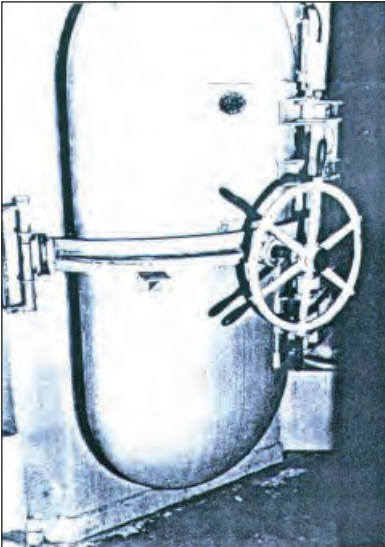
These were the words on the plaques at Auschwitz. Pope John Paul II blessed this plaque in 1979. The words were removed after the Soviet Union's president, Mikhail Gorbachev, released the Auschwitz death books in 1989 which, until then, it was thought the Germans had destroyed while evacuating Auschwitz.



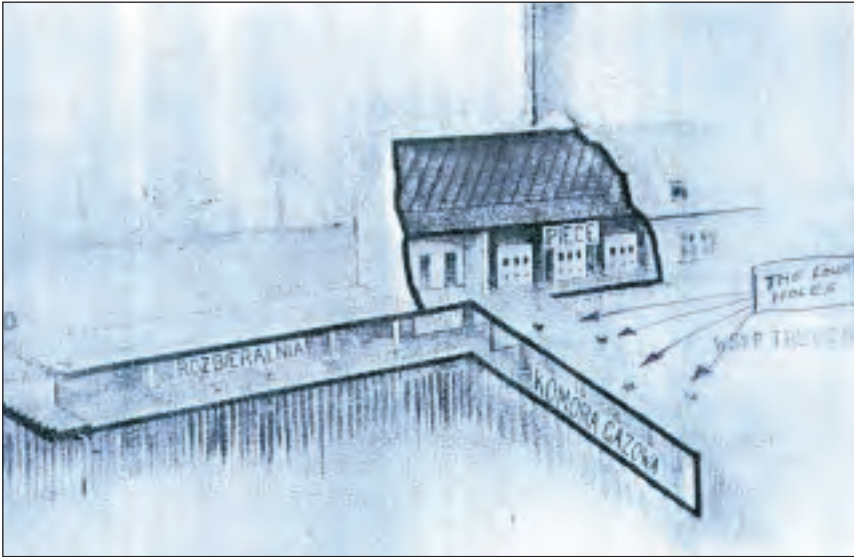
This plaque replaced the plaques in 1990. No-one has yet explained how it is possible simply to reduce a death figure from 4 000 000 to 1 500 000.



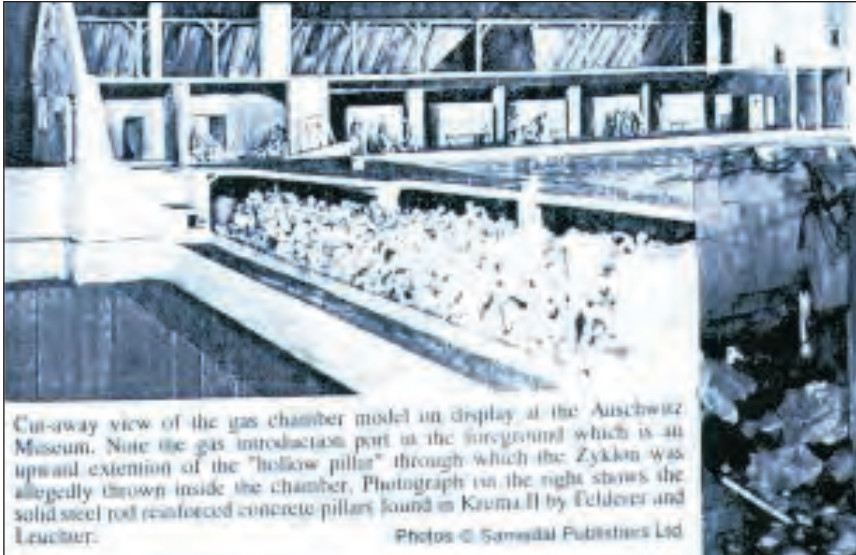
The gas chamber model from van Pelt and Dwork's *Auschwitz from 1720 To The Present* (p. 222).



Professor Faurisson's comparison of two gas chamber doors: (a) a gas chamber door from an execution chamber in Baltimore in the USA; and (b) is the alleged gas chamber door from Krema I at Auschwitz. The first is a steel door with secure locking mechanisms and is hermetically sealed; the door from Krema I is similar to a door found in any house.



The gas chamber model at the Auschwitz Museum



The gas chamber model in the USA's Holocaust Memorial Museum.

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Appendix 1



The International Express, 6 April 1999

Nazi mass murderer weeps as he is led away to die in prison
By Alex Hendry and John Coles

Justice caught up with the Demon of Domachevo after 57 years as he became Britain's first convicted war criminal.

Anthony Sawoniuk, 78, crumbled in tears as he was condemned to die behind bars after being found guilty of massacring Jews for the Nazis during the Second World War.

Ordering Sawoniuk to the front of the Old Bailey courtroom, Mr Justice Francis Potts sentenced him to two terms of life in jail.

He said: 'You have been convicted of two charges of murder on clear evidence, in my judgment.'

In a historic case which cost £11 million, a jury convicted Sawoniuk of two sample charges of murdering survivors he had caught hiding from a massacre of 2,900 Jews in the Belarus village of Domachevo. He was cleared of two other counts of murder on the direction of the judge.

As the partially deaf and half-blind former British Rail ticket collector was led away to begin the rest of his life in prison, Detective Sergeant Michael Griffiths said: 'This case shows that irrespective of the passage of time, those that commit murder will be brought to justice and there can be no hiding place for murderers.'

A Crown Prosecution Service spokesman said: 'This has been a remarkable trial in many ways. Its successful conclusion is a result of close co-operation between the CPS and Metropolitan Police and is also a tribute to the courage and resilience of the eyewitnesses.'

The prison service will now have to find a safe place to house Sawoniuk to protect him from revenge attacks. He has a history of mental illness and suffers from a heart condition and is unlikely to cope with the normal prison regime.

During the trial, the jury heard how Sawoniuk, the illegitimate son of a Jew, machine-gunned up to 15 naked Jewish women into an open grave.

On another occasion he shot a Jewish woman and two Jewish men in the back of the head and kneed them into a pit in the sand hills outside the village, before forcing young boys to bury their bodies. One of them, Alexander Bagley, who was then 12, came from Belarus to give evidence.

The two-month trial included a visit by the jury to the scene of the 1942 atrocities, where another villager who witnessed them acted as jurors' guide.

The prosecution said that now grey-haired Sawoniuk had been an enthusiastic Nazi collaborator, volunteering for the police when the Germans overran his home village of Domachevo.

He rounded up Jews who survived the main massacre in September 1942 and led them along the 'Road of Death' to the execution site. Sawoniuk, who initially denied even being a member of the police, claimed the prosecution was part of a KGB plot.

He protested: 'I have done no crime whatsoever. My conscience is clear. I killed no one. I would not dream of doing it. I am not a monster – I am an ordinary, working class, poor man.'

But the jury of eight men and three women also saw an old man still able to convey an aura of menace when he denounced his accusers with a clenched fist. Sawoniuk, the bastard child of a Jewish schoolmaster, had been taunted mercilessly about his parentage and never forgave his father.

Another irony is that he was the unwitting author of his own downfall.

He fled Domachevo with the retreating Nazis but deserted and joined the Polish 10th Hussar Regiment, attached to the British Army. In one simple move he transformed himself from a German collaborator into an Allied soldier.

He arrived in England with the regiment in 1946 and once demobbed settled into a life of anonymity. He worked at St Francis Hospital in Dulwich, South London, and in 1961 joined British Rail as a cleaner, progressing to ticket collector by the time he retired to his flat in Bermondsey.

However, in 1950 he wrote to his half-brother in Poland and the letter was intercepted by the KGB. Due to the Cold War, he was left alone for 30 years, until a second incident which told the KGB he was still alive.

A woman who lived near Domachevo got a letter from her brother in London, saying that he had seen Sawoniuk. She passed the letter on to the KGB.

In 1988, his name was on a list of suspected war criminals living in Britain passed by the Russians to the Government. Three years later the War Crimes Act made it possible for war criminals to be prosecuted for crimes committed abroad.

But even then Sawoniuk almost slipped the net because Soviet documents gave a Russian spelling for his name – Savonuyk. A historian working for the war crimes unit spotted the name Sawoniuk in archives and realised it was the same man.

To bring the case investigators interviewed 430 people, took 120 statements and submitted 90,000 pages of evidence. They visited the Ukraine, South Africa and Australia.

Sawoniuk's conviction probably marks the final chapter in a 13-year campaign for justice for victims of the Holocaust. Of 376 investigations, only one has yet to be completed.

There could be up to 200 war criminals in Britain but beyond reach of prosecution through lack of evidence.

Appendix 2



The Quarterly Journal for Free Historical Research

Ein KGB-Novellist: Gerald Fleming
Zusammengestellt von Dr. Fredrick Toben
Ein Experte fordert uns heraus

Der in Mannheim aufgewachsene Jude Gerhard Flehinger zog es während der Zeit des Dritten Reiches vor, sein für ihn ungastlich gewordenen Heimatland zu verlassen und nach Großbritannien auszuwandern. Dort nahm er den Namen Gerald Fleming an und widmete sich nach dem Krieg u.a. der Zeitgeschichte, insbesondere dem "Holocaust" an den Juden Europas unter der NS-Herrschaft. Er brachte es in England zu hohem Ansehen und gilt heute als einer der bekannten Holocaust-Schriftsteller der Welt. Anfang der 90er Jahre erhielt Fleming Zugang zu dem bisher unter Verschluss gehaltenen Staatsarchiv in Moskau, in dem große Aktenbestände der Bauleitung der Waffen-SS und Polizei Auschwitz lagern. In einem Zeitungsartikel in der *New York Times* vom 18.7.1993 (S. E19) führt er unter dem Titel »Engineers of Death« (Ingenieure des Todes) aus, daß er den gesamten Aktenbestand des Archives gesichtet habe. Anschließend beschreibt er die seiner Meinung nach wichtigsten Funde, die seine These von der Vernichtung der Juden stützten. Als die Geschichtsforscher Jürgen Graf (Schweiz) und Carlo Mattogno (Italien) 1995 ebenfalls die Akten des Moskauer Staatsarchiv einsehen, entdecken sie in den Quittungsbüchern der Leihstelle des Museums, daß Gerald Fleming nur den Erhalt eines Teils der Akten der Bauleitung des Waffen-SS quittiert hat. Außerdem finden beide Forscher in diesen Archiven Dokumente, die der These von der Vernichtung der Juden klar entgegenstehen, die aber Gerald Fleming nie erwähnt hat (VffG wird darüber noch detailliert berichten). Sie äußern daher den Verdacht, daß Gerald Fleming nicht, wie behauptet, die ganzen Akten gesichtet hat, sondern daß er nur jene Akten auslieh, von denen er annahm, daß sie etwas beinhalten, was seine vorgefertigte Meinung stützen könnte. Dieser Sachverhalt wurde von dem australischen revisionistischen Adelaide Institute im Sommer 1996 in einem Beitrag im Internet dargelegt. (<http://www.adelaideinstitute.org/adins.html>) Die darin enthaltenen Vorwürfe gegen Herrn Fleming haben diesem offenbar nicht gefallen. In einem Schreiben vom 20. August 1996 hat Gerald Fleming daher ein Hühnchen mit uns zu rupfen:

»Verehrter Dr. Toben

Meine Aufmerksamkeit wurde durch Kollegen auf Informationen gelenkt, die mit der Datumsangabe 15.7.1996, 17:30:00 vom

Adelaide Institute stammen. Ich zitiere aus dem fraglichen Dokument:

Der schweizer Historiker Jürgen Graf und der italienische Experte Carlo Mattogno besuchten die einstmals geheimen Moskauer Archive. Ihre Funde beschämen die Arbeit des britischen Professors Gerald Fleming (und des französischen Apothekers Jean Claude Pressac).

Da der fragliche Kommentar nicht nur absurd und skurril ist, sondern vielmehr hart an der Grenze zur Beleidigung, gebe ich Ihnen einige Informationen bezüglich meiner Archivstudien im Moskauer Staatsarchiv (und in anderen Archiven):

Ich habe sieben Jahre lang in russischen Staatsarchiven gearbeitet, jeweils mehrere Wochen pro Aufenthalt.

Ich habe alle relevanten Auschwitz-Dokumente gesehen und untersucht und eine große Anzahl davon kopiert.

Meine Berichte und Veröffentlichungen bezüglich meiner Archivstudien in russischen Archiven sind wohlbekannt.

Der Ausdruck "beschämend" im Zusammenhang mit meiner Arbeit und im Vergleich zum kürzlichen Besuch zweier benannter westlicher revisionistischer Schreiber ist unangebracht falsch und unakzeptierbar polemisch.

Sollte ein ähnlicher Kommentar erneut im Internet unter der Verantwortung des *Adelaide Institutes* erscheinen, werde ich Schritte unternehmen, um meine akademischen Interessen und meine tatsächliche geschichtliche Stellung zu verteidigen. Die von Ihnen genannten westlichen revisionistischen Schreiber werden über diese "Internet"-Kommentare wie hier dargestellt informiert.

Schließlich sei zu Ihrer Information angeführt, daß ich der erste westliche akademische Historiker und Forscher war, der Zutritt zu dieser wichtigen Sammlung deutscher Akten des Zweiten Weltkrieges bekam wie auch zu anderem wichtigen, zuvor gesperrten Material in russischen Staatsarchiven mit Bezug zu diesen Akten.

Schließlich habe ich bemerkt, daß Sie für Ihr *Adelaide Institute*, dem letzten intellektuellen Abenteuer des 20. Jahrhunderts eine Verwahrung ausgesprochen haben, indem Sie ausführen: "... falls ich jemanden kränke, weil ich politisch unkorrekt bin ... dann beanspruche ich für mich das Recht, in Ausübung der Meinungsfreiheit dieses sagen zu dürfen." - Die Worte "beschämen die Arbeit von..." sind aber nicht politisch unkorrekt, sie sind absolut böswillig und eines seriösen Gelehrten unwürdig. Lassen Sie mich hinzufügen, daß ich während meiner 37-jährigen Universitätsarbeit niemals solch einem Unsinn begegnet bin und daß ich es nicht ein zweites Mal durchgehen lassen werde.

Bezüglich Ihres Kommentars zur Meinungsfreiheit geht mir der Hohn des Dr. Goebbels nicht aus dem Kopf:

“Es wird immer der beste Witz des demokratischen Systems bleiben, daß es seinen tödlichen Feinden erst die Mittel liefert, mit denen diese es dann zerstören.” Genau so!

Mit freundlichen Grüßen
Gerald Fleming«

*

Die Antwort des Adelaide Institute, 30.8.1996

Verehrter Dr. Fleming

Der Ton Ihres Schreibens vom 20. August legt nahe, daß Sie eine recht lange Zeit mit Wutschnauben und Bluffen davon gekommen sind.

Ich beziehe mich insbesondere auf den Unsinn, den Sie in *Blueprints of Genocides* (Blaupausen des Völkermords, vgl. Adelaide Institute Newsletter No. 27) von sich gaben. Ich meine, daß Ihre Zeit als glaubwürdiger Historiker aus einem einfachen Grunde vorbei ist: Während der vergangenen 37 Jahre haben Sie versucht nachzuweisen, daß im KL Auschwitz Menschenvergasungen stattfanden. Nach Karl Popper kann ein gescheiter Mensch alles beweisen. Die wissenschaftliche Methode allerdings fordert die Falsifizierung von Hypothesen.

Wir wissen natürlich, daß jeder, der versucht, sich auf diese Weise der Hypothese von den Menschenvergasungen zu nähern, von Ihnen und Ihresgleichen sofort als *Holocaustleugner* oder im schlimmsten Fall gar als Haß schürender Antisemit gebrandmarkt wird.

Was Sie mit Ihrer Forschung getan haben, ist der Versuch, die Ideologie-Religion vom Holocaust aufrecht zu erhalten. Der Schmerz, den Sie gerechterweise bei der Lektüre unserer Website empfinden, mag größtenteils auf das zurückzuführen sein, was Charles Morgan wie folgt ausdrückte:

»Die Folge der oberflächlichen Bildung der westlichen Völker war, daß sie einfültig wurden, hervorgerufen durch das Entsetzen des übertölpelt Werdens.«

Der Tatsache bewußt, daß es in unseren westlichen Demokratien (mit Ausnahme von Frankreich, Deutschland u.a.) kein Verbrechen ist, die Falschheit von Prämissen zu veranschaulichen, lassen Sie mich mit einem Zitat von Professor Robert Faurisson schließen:

»Es wird behauptet, die Nazi-Gaskammern hätten physikalisch existiert; dennoch kann uns niemand eine Darstellung derselben liefern. Diese Gaskammer ist immateriell und magisch... man kann die behaupteten Menschengaskammern von Auschwitz genauso wenig beschreiben oder zeichnen, wie man einen quadratischen Kreis oder ein kreisförmiges Quadrat beschreiben oder zeichnen kann.«

Hochachtungsvoll
Fredrick Toben

P.S.: Diese Korrespondenz wird auf unserer Website plaziert.

*

Eine Erwiderung von Prof. R. Faurisson, 30.9.1996

Gerald Fleming, emeritierter Professor für Deutsch an der Universität Surrey (GB), ist, wenn ich dies so sagen darf, ein KGB-Novellist. Er ist eher ein Novellist als ein Historiker. Er war bei den sowjetischen Behörden und Presseorganen gern gesehen. Selbst als die Sowjetunion schon verschwunden war, zollte er den hervorstechenden Fähigkeiten der Roten Armee immer noch Tribut. Diese Fähigkeiten bestehen darin, bei der Befragung deutscher Gefangener die erwünschten Geständnisse selbst dann zu erhalten, wenn die US-Armee dazu nicht in der Lage war. In einer 1984 publizierten Rezension von G. Flemings Buch *Hitler and the Final Solution* mußte sogar ein unterwürfiger Journalist eingestehen:

»Sein manchmal pompöser Schreibstil sowie die Struktur des Buches als eine Art Thriller werden so manchen Historiker ärgern.« (*»His sometimes flamboyant writing and the structure of his book as a kind of thriller will annoy some historians«*, *The New York Times*, 28.12.1984, S. C23)

Ein jüdischer Mitstreiter G. Flemings führte aus:

»Sein Buch wurde in Rigaer und Moskauer Publikationen wohlwollend rezensiert, und er glaubte, daß ihm die sowjetischen Behörden eine Besucherlaubnis für die Archive der Roten Armee gewähren werden.« (*»His book has been favourably reviewed in Riga and Moscow publications, and he believed that Soviet authorities would grant him permission for a visit to the Red Army archives“*, he said., *The Jewish Chronicle*, 12.10.1984, S. 4)

Hitler and the Final Solution (University of California, Berkley 1984) ist eine Übersetzung des deutschen, im Limes Verlag in München 1982 erschienenen Buches *Hitler und die Endlösung*. Dieses Buch soll angeblich die Herausforderung von David Irving aufgegriffen haben, der nach einem einzigen Dokument gefragt hatte, das beweise, daß Hitler vor Ende des Jahres 1943 wußte, daß eine Vernichtung der Juden im Gange war. Natürlich war G. Fleming nicht in der Lage, ein solches Dokument vorzulegen. Er hätte also davon Abstand nehmen sollen, sein Buch als Antwort auf solch eine Frage zu präsentieren, und er hätte es vermeiden sollen, David Irvings These, daß es keinen Hitler-Befehl zur Liquidierung der europäischen Juden gebe, als »eine Fiktion« zu bezeichnen (S. 37, Fußnote 56).

Es ist Unsinn, ein Buch über die Existenz eines Dokumentes zu schreiben, das weder gefunden noch gezeigt werden kann. Aber G. Fleming dachte, er könne uns ein anderes Dokument bringen, möglicherweise ähnlich sensationell, das beweist, daß es ein Vernichtungsprogramm der Nazis gegen die Juden gab. Dies ist der Grund, warum er es wagte, den *Resettlement Action Report* zu publizieren, ein heutzutage fast vergessenes Dokument, das damals (1982) aber als eine außerordentliche Entdeckung gepriesen wurde. Es war eine Fälschung. Selbst ein Laie, der nicht von der

“Holocaust”-Propaganda infiziert ist, kann auf den ersten Blick erkennen, daß dieser Bericht *ohne Datum* und *ohne Unterschrift* voll von widersinnigen Details über Auschwitz ist.

Der interessierte Leser sei auf die hervorragende Analyse des jungen kanadischen Revisionisten Brian A. Renk verwiesen (»The Franke-Gricksch Report. A Resettlement Action Report: Anatomy of a Fabrication«, *The Journal of Historical Review*, Fall 1991, S. 261-279).

Leser, die so schnell wie möglich einen Eindruck von G. Fleming als Historiker gewinnen wollen, können sich die Fotos in seinem Buch ansehen. Auf ein und der selben Seite erscheinen zwei Fotos aus dem Archiv des (kommunistischen) polnischen Justizministeriums. Eines zeigt angeblich einen Gaswagen zur Erstickung von Menschen und das andere zwei deutsche Gefangene, die Zyklon B-Dosen halten, wie sie es angeblich taten, als sie Insassen des KZ Majdanek töteten. Tatsächlich handelt es sich bei dem Gaswagen um einen gewöhnlichen Lastwagen der Firma Magirus mit nichts Verdächtigem daran, und die (offenbar verängstigten) Gefangenen halten Zyklon B-Dosen, wie sie zur Läusetötung verwendet wurden.

1993 trompeteten die Medien weltweit heraus, daß G. Fleming in den sowjetischen Akten Beweise für die Errichtung und den Betrieb von Hinrichtungsgaskammern in Auschwitz gefunden habe. Er schrieb einen langen Artikel darüber unter dem Titel »Engineers of Death« (Ingenieure des Todes, *The New York Times*, 18.7.1993, S. E19).

Tatsächlich aber hatte G. Fleming kein solches Dokument gefunden, sondern lediglich die Protokolle der Verhöre von vier Deutschen durch die sowjetische Militärpolizei. Bei den Verhörten handelte es sich um Ingenieure, die als Angestellte der Firma Topf & Söhne (Erfurt) während des Krieges bei der Errichtung der Krematorien von Auschwitz-Birkenau mitgewirkt hatten und die auch nach dem Kriege noch bei dieser Firma arbeiteten.

Die US-Armee hatte diese Ingenieure bereits verhört und später entlassen. Als die Amerikaner Erfurt der Roten Armee übergaben, verhafteten die Sowjets die Ingenieure, verhörten sie... und erhielten die erwünschten Geständnisse.

Die wichtigsten dieser Ingenieure waren Fritz Sander und Kurt Prüfer. Der erste starb an einem Herzinfarkt gleich zu Beginn des Verhörs. Der zweite starb 1952 an einer Gehirnblutung. Wir besitzen Fotos von Prüfer als freier Mann und eines in sowjetischer Gefangenschaft. Der Unterschied spricht Bände, und ich würde sagen, daß man auf dem sowjetischen Foto Prüfers Entsetzen erkennt. (Vgl. »Protokolle des Todes«, *Der Spiegel*, 40/1993, S. 151-162, hier S. 160. Der Spiegel hat übrigens die Chuzpe zu behaupten, es sei unwahrscheinlich, daß die vier Ingenieure in den Händen des KGB gefoltert worden seien. Warum bloß dieses Dementi?)

Die Geständnisse der Ingenieure waren äußerst vage und im Stil von *ich hörte... mir wurde gesagt... ich sah von außen* (»Ja, ich sah die Gaskammer – von außen«, *Der Spiegel*, S. 160). Und zufällig stimmen jene wenigen präzisen Antworten weder mit den Details der Geschichte überein, wie man sie uns heute erzählt, noch mit den tatsächlichen Gegebenheiten, wie man sie heute noch in Auschwitz sehen kann. Zum Beispiel sagt einer der Geständigen: »In der Decke (der Gaskammer) waren quadratische Öffnungen (25 mal 25 Zentimeter)« (*Der Spiegel*, S. 162). Das Problem ist nur, daß man noch heute erkennen kann, daß es in der Decke keine quadratischen Öffnungen gibt.

1994 machte G. Fleming zusammen mit dem Architekten Jan van Pelt den Film *Blueprints of Genocide* (Blaupausen des Völkermords, BBC, 9.5.1994). Der Höhepunkt des Films war der Augenblick, als ein Dokument mit folgendem Kommentar gezeigt wurde:

»Es sagt sehr deutlich, "Sie werden in diesem Gebäude (Krematorium II) in der Lage sein zu töten und sie werden gleichzeitig in der Lage sein zu verbrennen."« (»It says very clearly, "You will be able to kill and you will be able to burn simultaneously in this building"«)

Aber erstens wird das Dokument in dem Film derart verstohlen gezeigt, das niemand den deutschen Originaltext lesen kann. Zweitens sagt dieses Dokument tatsächlich nichts dergleichen aus. Es handelt sich dabei um einen einfachen Aktenvermerk vom 29.1.1943 über... die Stromversorgung. Es trägt noch nicht einmal den allgemein üblichen "Geheim"-Stempel. In Wirklichkeit erwähnt es eine »Verbrennung mit gleichzeitiger Sonderbehandlung«. Man bemerke, daß die Schwindler das Wort »Sonderbehandlung« in »Töten« umwandelten und daß sie dann die Reihenfolge der Worte umdrehten, indem sie zuerst »töten« und dann »verbrennen« sagten. Der Originaltext könnte niemals eine kriminelle Bedeutung haben, etwa im Sinne von "erst Menschenvergasung, dann Verbrennung der Leichen". Das Wort »Sonderbehandlung« kann bei dieser Satzkonstruktion alles mögliche bedeuten mit Ausnahme von »töten«, da die »Sonderbehandlung« zeitgleich mit der »Verbrennung« stattfand.

Es ist offensichtlich, daß G. Fleming und van Pelt im Falle der Entdeckung eines Dokumentes, das *sehr deutlich* aussagt, was die "Holocaust"-Historiker seit langem zu finden versuchen, dieses in jeder Zeitung, jedem Film, Buch und "Holocaust"-Museum veröffentlicht, herumzeigt und kommentiert hätten. R. Hilberg, E. Wiesel, S. Wieselthal, S. Klarsfeld und all die anderen hätten diese Jahrhundertentdeckung gefeiert. Aber statt dessen sagten sie kein Wort. Am Ende des Films zitierte G. Fleming völlig entstellt, was die deutschen Ingenieure den Sowjets gestanden hatten. Dieser Film enthält nichts über die Technik und Arbeitsweise der Nazi-Gaskammern, und zudem gibt es nichts dergleichen wie quadratische Öffnungen in der Decke der angeblichen Gaskammer des Krematoriums II in Auschwitz-Birkenau.

Am 28.1.1995 verkündete Jan Taylor im *The Sydney Morning*, daß van Pelt dabei sei, ein Computer-Model des Lagers Auschwitz zu entwerfen. Wir warten immer noch auf das Ergebnis. Ich wäre sehr daran interessiert zu erfahren, ob er es wagt, jene vier besonderen Öffnungen in der Decke der "Gaskammer" zu zeigen, durch die, wie man uns erzählt, die Zyklon B-Klumpen geworfen worden sein sollen.

Aus diesem Grunde ist G. Fleming nicht nur ein KGB-Novellist, sondern zudem ein Betrüger.

Jeder, der am Transkript der Sendung *Blueprints of Genocide* interessiert ist, hat die Wahl zwischen der britischen und der amerikanischen Fassung. Die britische Fassung wurde gegenüber dem von BBC am 9.5.1994 tatsächlich ausgestrahlten Text überarbeitet. Das erwähnte deutsche Dokument erscheint auf Seite 20 mit einem betrügerischen englischen Kommentar (Horizon, *Blueprints of Genocide*, Text adapted from the programme transmitted 9 May 1994, 26 + 6 S. Mariette Jackson, Acting Publishing Manager, Broadcasting Support Service, 252 Western Avenue, London W3 6XJ, UK). Das amerikanische Manuskript ist ehrlicher, auch wenn man uns sagt, daß diese Abschrift nicht mit dem Videoband abgeglichen wurde. (Nova Show #2204. Air Date: 7.2.1995, 8 S. (zweispaltig). WGBH Educational Foundation. Journal Graphics, Box 2222, South Easton, MA 02375, USA).«

*

Die Antwort von Jürgen Graf, 11.11.1996

Ich korrespondierte im August 1996 mit Professor Fleming, und trotz der Tatsache, daß er keine einzige der von mir gestellten Fragen beantwortete, war ich vom zivilen Ton seines Antwortschreibens überrascht. Die zwei der wichtigsten Fragen, die ich ihm stellte, lauteten wie folgt:

1. Fand er während seiner Archivarbeiten in Moskauer Archiven irgendwelche dokumentarische Beweise für Menschenvergasungen? Ich warte immer noch auf eine Antwort. Sein Schweigen verleitet mich zu der Schlußfolgerung, daß er keinen solchen dokumentarischen Beweis fand, da kein solcher Beweis existiert.

Im Januar 1945 fielen der sowjetischen Befreiungsarmee in Auschwitz über 90.000 Aktenseiten in die Hände. Es scheint, als hätten die sich zurückziehenden Nazis diese Dokumente achtlos hinter sich gelassen, die sie doch vor der Evakuierung des Lagers einfach hätten zerstören können. Die Deutschen dachten nicht, daß diese Dokumente sie später einmal belasten könnten!

Wenn jemand die so sehr gesuchten dokumentarischen Beweisstücke für Menschenvergasungen gefunden hätte, dann wären diese weltweit triumphierend präsentiert worden. Aber

nein – seit über vier Jahrzehnten verbargen die Sowjets diese Papierberge in ihren Archiven. Warum?

Anstatt uns einen dokumentarischen Beweis für den Gaskammer-Holocaust vorzulegen, bietet uns Fleming die Geständnisse aus den Kerkern der Sowjets, abgelegt von Kurt Prüfer und anderen Ingenieuren der Bauleitung.

Wenn diese Geständnisse akzeptable Beweismittel sein sollen, dann werden nun wohl auch jene Geständnisse zuverlässige historische Quellen, die 1937 für die Moskauer Schauprozesse durch die alten Bolschewiken “herausgekitzelt” wurden, in denen die Angeklagten gestanden, Faschisten und imperialistische Agenten zu sein.

2. Aus irgendwelchen unerklärlichen Gründen zitiert Fleming in seinem Buch *Hitler und die Endlösung* (Limes, 1982) den sogenannten Franke-Gricksch-Bericht als eine wichtige dokumentarische Quelle für den Holocaust. Dieser Bericht ist eine plumpe Fälschung, da er voll von Absurditäten ist. Zum Beispiel gibt er an, die Birkenauer Krematorien könnten 10.000 Leichen pro Tag einäschern; die Leichen kürzlich Verstorbener würden besonders gut brennen; Juden würden in hohlen Zähnen Wertgegenstände verstecken usw.

Neben Fleming nimmt nur Jean-Claude Pressac diesen Bericht ernst. Pressac zitiert ihn auf S. 238 seines Bandes *Auschwitz: Technique and Operation of the Gas Chambers* (Beate Klarsfeld Foundation, New York 1989).

Weder Reitlinger, Hilberg, Poliakov noch die *Enzyklopädie des Holocaust* erwähnen den Franke-Gricksch-Bericht in ihrem Index. Warum nicht? Sie sollten es, wenn dieses Dokument einen solch klaren Beweis für die Gaskammern und für den Holocaust darstellt.

Fleming erklärte nicht, warum die “Holocaust-Fachleute” den Franke-Gricksch-Bericht nicht ernst nehmen.

Ohne Zweifel ist Gerald Fleming ein Experte auf seinem Gebiet, der deutschen Sprachwissenschaft. Aber bezüglich des “Holocaust” ist er nur ein drittklassiger Propagandist.

(Quelle: *Vierteljahreshefte für freie Geschichtsforschung* 1(2) (1997), S. 87-91).

Appendix 3



Letters and publications, 10 April 1999

Günter Deckert

z.Z.Pf. 3010

76643 Bruchsal, den 10.4.99

Dr Fredrick Töben

z.Z. Herzogenriedstraße (JVA)

68169 Mannheim

Lieber Herr Dr Töben!

Nun ist das eingetreten, was ich bei dem Psychopath Klein befürchtet habe ... Sie werden nun ebenfalls MA-Justizgeschichte schreiben.

Ich habe gestern über Radio/Fernsehen von der Verhaftung erfahren. Ich habe heute meinen Geschäftsführer angerufen und gebeten, daß er RA L. Bock, meinen Verteidiger, unterrichtet und ihn bittet, Ihre Verteidigung zu übernehmen und sich umgehend mit Ihnen in Verbindung zu setzen. Herr RA Bock erhält Durchschlag dieses Schreibens genauso wie mein Geschäftsführer, der sich darum kümmern wird, daß Ihnen eine Grundausrüstung Schreibmaterial (Umschläge, Papier, Briefmarken usw.) sowie eine mechanische Schreibmaschine zugänglich gemacht wird. Er wird sich auch um einen Besuchstermin bemühen.

Da Sie unvorbereitet in diese Lage kamen, sollten Sie bei Mangel in irgendetwas umgehend um Gespräche mit dem Sozialarbeiter sowie einem der beiden Pfarrer beantragen. Ich weiß nicht, ob Sie hier noch Verwandte haben, die Ihnen wegen Wäsche bzw. Kauf von Wäsche helfen könnten.

Versuchen Sie über einen der Pfarrer einen gewissen Betrag für das Knastkonto zu erhalten. Ich werde veranlassen, daß Ihen über meine Frau vorab mal DM 50.- zwecks Einkauf im Knastladen zugehen.

Beantragen Sie umgehend, wohl über StA oder zuständigen Richter, die Erlaubnis mit Angehörigen telefonieren zu können. Gespräche mit dem Anwalt bedürfen keiner Genehmigung über den Sozialarbeiter vielleicht, sicherlich aber über den Pfarrer möglich, sofern Sie noch kein Geld auf dem Konto haben.

RA Bock ist wie folgt zu erreichen: MA (ohne Vorwahl) 156 4747.

Sofern Ihen der Pfarrer keinen alten Radio zur Verfügung stellen kann, können Sie einen älteren von mir, d.h. aus meinem Büro, erhalten.

Ich werde auch veranlassen, daß HSCh wie EZü sowie andere von Ihrer Verhaftung erfahren und auch Ihre Anschrift mitgeteilt wird.

Sicherlich haben Sie einen Haftbefehl (mit Begründung) erhalten. Ihre Zustimmung vorausgesetzt, läßt mir RA Bock sicherlich eine Ablichtung zukommen.

Schriftlich erreichen Sie RA L. Bock über B2, 16 - 68159 Mannheim; meinen Geschäftsführer unter Pf. 10 11 17. Eric Rössler - 69451 Weinheim/B.; Weinheim liegt 20 km östlich von Mannheim.

Wegen der U-Haft-Zensur (StA/Gericht) müssen Sie bei Normalpost, nicht bei Anwaltpost, mit entsprechender Verzögerung rechnen. So weit mal erste Hinweise. - Die erste Zeit ist hart. Lassen Sie sich nicht unterkriegen. Und achten Sie genau auf den Umgang..., u.a. Hausordnung geben lassen ... Ich gehe davon aus, daß Sie die Australische Botschaft einschalten.

Beste Grüße von Zelle zu Zelle.

Ihr
Günter Deckert

* * * * *

Radio Deutsche Welle - English Program
PO Box 50588,
Cologne,
Germany

10 Apr 99

Dear Sir,

I hear last night on your program that you want people to write in with their thoughts on what Germany is today. I will tell you.

Official Germany today is not a country with an open mind on matters Holocaust.

The official position is that Germany has free speech but in this particular of the Holocaust, Germany says that 'defamation of the memory of the dead' has to be punished and this has nothing to do with free speech.

Having your cake and eating it; or Orwellian Doublethink.

People go to jail in 'modern' Germany for 5 yrs for publicly doubting aspects of The Holocaust.

There are many there in jail now. Is there a story in this ?

The courts there take 'judicial notice' of the revealed history of the Holocaust, and hence it follows that truth is not a defence the hapless accused has.

He can only lose - as is intended by the Zionist drafters of the law which the craven 'good' Germans allow or dare not complain of.

Right at this moment there is German born Fredrick Toben, PhD, MACE, visiting from Australia nabbed, 8/4, by Mannheim Chief Prosecutor Hans-Heiko Klein and Chief Criminal Investigator Bureau Chief Mohr, because he has a website also accessible in

Germany which says that gassings could not have been technically possible.

Again truth will not be allowed to be demonstrated/investigated when his case comes to trial - for why else arrest him ?

Will you yourselves report the case, let alone give a comprehensive coverage of the trial ? If so, how ? But I very much doubt it.

So, what are Official Germans in Germany today? They have adopted the Nazi tactic of suppressing/oppressing those they wish to silence; hence I am not enamoured of soft nazis (Official Germans) either - note lower case 'n'.

Yours sincerely

Michael Mazur
97 Wilson St,
Brunswick 3056, Australia

Try www.adam.com.au/fredadin/adins.html; you will see why official Germany fears truth about the Holocaust more than it fears neo-Nazis.

* * * * *

From *The Daily Telegraph*:

**Historian arrested for disputing Holocaust
By Barbie Dutter (Sydney) and Andrew Gimson (Berlin)**

A controversial Australian historian who disputes the facts of the Holocaust has been arrested in Germany and charged with defaming the memory of the dead.

The public prosecutor's office in Mannheim announced yesterday that it had begun preliminary proceedings against Fredrick Toben, who was held overnight at Mannheim Prison.

"The accused is charged with spreading in print and on the Internet anti-semitic and neo-Nazi material written by himself," a spokesman said.

"Among other things, the murder by the national socialist dictatorship of millions of Jews in concentration camps is disputed."

David Brockschmidt, a member of the Adelaide Institute of which Toben is director, claimed yesterday that Toben had been the victim of a trap set by the German authorities.

He said the arrest took place on Thursday while Toben was outlining his research into whether the Holocaust took place to a German government prosecutor in Mannheim.

Toben had arranged to speak to the prosecutor after spending two months conducting research in Poland, Hungary, the Czech Republic and the Ukraine, Mr Brockschmidt said.

But an undercover police officer was present during the conversation and arrested Toben on the grounds that he had “defamed the memory of the dead”.

The charge was also thought to relate to Toben’s controversial views about the Holocaust expressed on the Adelaide Institute’s Internet site and through its newsletters.

“The Germans must have been waiting for him, it was a trap, he was set up,” Mr Brockschmidt said and accused Germany of breaching free speech rights.

* * * * *

From the *Mannheimer Morgen* (translated from the German original):

**Arrested on suspicion of inciting the people
Australian historian Fredrick Toben allegedly denies Nazi crimes
against the Jews**

An arrest warrant was issued yesterday against the Australian historian Fredrick Toben by the local court (Amtsgericht) in Mannheim. According to the public prosecutor’s office, the 54 year old Toben was temporarily arrested on Thursday. The Australian is accused of incitement of the people, defaming and reviling the memory of the dead. He is on remand until further investigation because since there is the danger that he may flee the country.

Fredrick Toben is the Director of an institute in Adelaide, Australia. According to the Public Prosecutor, he has for some time been spreading anti-Semitic and neo-Nazi thoughts in newsletters and on the Internet. Among other things, therein he denies that the National Socialists murdered millions of Jews in concentration camps. In an interview the historian also expressed the view that the gassing of the Jews was technically not possible. In the past Toben’s theses have mainly been hotly debated on the Internet by like-minded people.

The Australian news agency, AAP, yesterday quoted a colleague at the Adelaide Institute as having said that Toben has been “set a trap”. A “disguised” official of the Intelligence Services is supposed to have taken part in a discussion with the Public Prosecution authorities in Mannheim. He then arrested the Australian on the grounds that he was defaming the memory of the Holocaust victims. Toben, when being questioned by the magistrate, is reported to have said he came to Germany as a tourist in order to have discussions here with judges and public prosecutors on the Holocaust.

Appendix 4



Letters and publications, 11 April 1999

From *The Sydney Morning Herald*:

Nazi Law: SA doctor charged

By Andrew Chennell

An Australian man who is the subject of Australia's first Federal human rights case alleging race hatred on the Internet has been arrested and charged in Germany with defaming the memory of Jewish Holocaust victims.

The director of the Adelaide Institute, Dr Fredrick Toben, was arrested and jailed yesterday in Germany while speaking to a German prosecutor in Mannheim. He had previously freely admitted in his Web site travel diary that he was flying to Europe to "challenge the German ban on denying the Nazi genocide of Jews".

Dr Toben and his institute are the subject of a complaint by the Executive Council of Australian Jewry (ECAJ) to the Human Rights Commission because of information on his and the institute's Web site suggesting there was no Holocaust.

He has been charged with "defaming the memory of the dead" and was due to face court in Mannheim last night Australian time, the prosecutor's office in Mannheim confirmed.

In his Web site travel diary, written in February, Dr Toben was quoted as saying about the visit: "I have no intention of breaking German law, but I do want to talk to judges, prosecutors and others about the ban. I want to challenge the authorities there on the freedom of speech issue.

"The German authorities have to realise that discussing such things as the gas chambers is a legitimate intellectual exercise and that people should be able to discuss it without being called anti-Semitic, anti-Jewish or a hater of Israel.

"There are about 6,000 people being held in German prisons because they have been convicted of Holocaust denial. Many of them are members of various right-wing extremist groups but not all of them."

A German Ministry of Justice spokeswoman said last night that up until 1997 (the latest figures available) only eight people had been convicted under Article 130, Paragraph 3, of the country's penal law.

The law stated people “will be punished if someone denies or minimises acts committed [by] the Nazi regime”, she said.

The maximum penalty was five years’ jail or a fine.

Controversial British historian Mr David Irving, who has been prevented from coming to Australia to express his views on the Holocaust, yesterday defended Dr Toben and issued a statement expressing his “outrage”.

On Mr Irving’s press statement were contact phone numbers for the assistant director of the Adelaide Institute, Mr Geoff Muirden, and the president of the Australian Civil Liberties Union, Mr John Bennett. Mr Bennett has previously proclaimed “exaggeration” of the Holocaust.

The vice-president of the ECAJ, Mr Jeremy Jones, said yesterday he found it hard to believe Dr Toben would have been unaware of the consequences of his visit to Germany.

* * * * *

Letter to the Minister for Foreign Affairs, Alexander Downer MP, from Adelaide Institute’s Victorian Associate, Michael Mazur:

Dear Mr Downer

Chanced to see you on Ch7 0835hrs as I was looking to hear more on Serbia/Kosovo and Glen (to my astonishment) asked you about Fredrick Toben; so I came in from the kitchen to hear and look at you as you spoke.

By looking at you, you knew already – and were pleased – that he had been arrested and that you didn’t really need confirmation from the Germans of that fact.

On the late evening of 8/4 Geoff Muirden, Acting Director of Adelaide Institute, phoned to relay the detail of the circumstances in which this happened.

Yesterday, ABC Radio had it as one of their news items.

So, Mr Downer, you knew about it, and probably before the ABC mentioned it, but were hiding behind official speak to put off having to say anything about it as your Zionist controllers/owners want him to stay in Germany – detained by the soft nazis (Official Germany) for 5 years for the *nonsense crime of ‘defaming the memory of the dead’ – not that they had to tell you what to say; you understand well what is required of you.

What your response really means is that when an Australian citizen infringes on a ‘defaming the memory of the dead’ law of another country there is nothing the Australian government would want to do about it.

Am I right? I say this with complete justification because as soon as the Zionists can effect it, through Parliament will be pushed amendments to the Racial Discrimination Act which will ensure that what happened before HREOC on November 2 and 16 last year (Sydney and then Launceston) when the Adelaide Institute came before it, will not be repeated.

It was possible – justifiable – in November for both Fredrick Toben and, then in Launceston, Olga Scully to walk away from this toothless Kangaroo Court with complete impunity after having determined from the respective Commissioners that the simple historical truth is no defence for the Respondent.

What happened in Germany to Fredrick Toben is what your Zionist Controllers would have wanted to happen to him here late last year.

Were he to come back tomorrow he would await the spectre of the passage of law in this country equivalent to those currently in Germany, and then the Zionists armed with their new law would move against him by instigating proceedings.

For Dr Toben it's the proverbial between a Rock and a Hard Place.

Michael Mazur

PS: Why not tell these soft nazis that a new law will be passed here and he can then spend time in jail here instead of in the 'new' Germany.

* Why 'nonsense crime'? Because for some absurd reason some people's dead are more important than the rest.

*

Mazur could not have been pleased with the response on 7 May, not from Minister Downer but from someone in the department:

Dear Mr Mazur

Thank you for your letter of 11 April 1999 to the Minister for Foreign Affairs, Mr Downer, about the arrest in Germany of Dr Fredrick Toben. Mr Downer has asked that I reply on his behalf.

The contents of your letter are noted. Beyond confirming that we have been providing consular assistance to Dr Toben, I am afraid that I am unable to discuss details of his case because of privacy considerations.

Yours sincerely

Robert Whitty
Director
Consular Operation

* * * * *

Letter to Prime Minister John Howard from Nigel Jackson:

Dear Mr Howard

Re: Arrest in Germany of Dr Fredrick Toben

As you know, an Australian citizen, Dr Fredrick Toben, director of the Adelaide Institute, has been arrested in Germany on a charge of “defaming the memory of the dead”.

Reports in *The Age* and the *Herald Sun* on 10 April suggest that he is likely to be sentenced to five years in gaol.

Five years in gaol purely because he has in Australia and Germany expressed dissident views on events and issues of Twentieth Century history!

I write to ask you to protest long and loudly to the authorities in Bonn and to ensure that the Australian Government does everything in its power to secure the safe return to Australia of Dr Toben as soon as possible.

What is essentially wrongful in this matter is the German law itself. It is outrageous that criticism of the received view of the Jewish Holocaust cannot be legally aired in Germany.

The very idea that free speech and thought on historical controversies should not be allowed is contrary to traditional British justice and to the Aussie “fair go”.

We can understand that Jewish persons and groups may be offended, hurt or intimidated by historical revisionism; but such revisionism is by no means always an attempt to rehabilitate Nazism.

As you know, research by independent and intelligent commentators in a number of countries has gravely called into doubt the received view of the Holocaust.

The correct way for that challenge to be met is by debate, not by intellectual suppression.

Otherwise, the revisionists’ claim that a wartime propaganda myth has been elevated into a cult protected by political Establishments because of the financial power of Jewish lobby groups will be strengthened.

With the greatest respect, I submit that your Government erred badly in not allowing British historian David Irving an entry visa to Australia. The present crisis gives you and the Government an opportunity to show that you really do intend to defend intellectual liberty in Australia and in the world generally.

Appendices

Please act quickly, unequivocally and firmly – and maintain your rage until the Bonn authorities have been shamed into freeing Dr Toben.

With cordial regards.

Yours sincerely

Nigel Jackson

*

Over a month later, Mr Jackson received this reply:

Dear Mr Jackson

Thank you for your letter of 11 April 1999 to the Minister for Foreign Affairs about the detention of Dr Toben in Germany. Mr Downer has asked me to reply on his behalf.

We note your concerns about Dr Toben's detention but I am constrained to say that this Department is unable to comment on German law or on the charges brought by German authorities. Those matters are most properly the domain of the German authorities and Dr Toben's legal representatives.

The issue of Dr Toben's release is one for the German judicial system in which Australian Government neither has nor seeks any standing.

The basis of our interest in Dr Toben's case is to provide him with consular assistance of a kind that is available to any Australian who is detained in a foreign country. I am afraid that privacy considerations do not allow me to provide further information about our consular dealings with him.

Yours sincerely

Robert Whitty

Director

Consular Operations

* * * * *

Adelaide Institute Media Release

Adelaide Institute, an Australian website examining the truth about historical events, especially those connected with World War II and the Holocaust, wish to appeal against the decision of German authorities in Mannheim, Germany, to arrest Dr Fredrick Töben, Director of Adelaide Institute, on a visit to Germany, claiming that the contents of the website "defame the memory of the dead".

Adelaide Institute further feels that this is a case of entrapment, in that he was thrown into jail after a private conversation with Public Prosecutor Klein. After being invited to return for further conversation he was then arrested by State Security Police Superintendent Mohr for "thought crimes".

This is a violation of free speech on the Internet and is an assault on his right to freedom of movement as an Australian citizen. An attempt will be made to contact organisations concerned with free speech on the Internet to give moral support to Dr Töben, and to protest this action to the German Embassies. The Australian Government should also intervene to defend the rights of Dr Töben as an Australian citizen and not a citizen of Germany.

Geoff Muirden
Assistant Director
PO Box 3300
Norwood, SA 5067
Australia (03) 9534 1314

* * * * *

From Ingrid Rimland's Zündel Internet website:

Dr. Fredrick Toben - latest victim!

Though German in origin, Dr. Fredrick Toben was raised in Australia as an Australian citizen, and speaks both English and German. Becoming interested in exonerating the German people from the anti-German racism of the Holocaust legend, he at first edited a revisionist journal called Truth Missions, which was later renamed Adelaide Institute Newsletter. He then broadened out to establish Australia's revisionist website, Adelaide Institute. He has personally visited the site of Auschwitz and burrowed under the ruins of the alleged gas chamber, being unable to find the four holes in the roof which were supposedly used to throw in gas pellets. He conducted regular dialogue with Exterminationists, and did not expect to be arrested when he visited Prosecutor Klein in Mannheim, Germany, for a private discussion on the Holocaust laws in Germany, which make it mandatory to accept the entire Holocaust story.

Nevertheless, he was arrested by Klein and police chief Mohr in Mannheim, Germany, in April, 1999, and is currently in Mannheim Prison awaiting trial for being a "holocaust denier".

* * * * *

Correspondence on David Irving's website:

THE ARREST of Dr. Frederick Toben is a serious matter for those staunch advocates, myself decidedly included, of free expression and the right of dissent. The thing to note in the Toben case is that his arrest stems for those 'activities' NOT committed in Germany but rather the ramifications of his Australian website 'Adelaide', being viewed 'within' Germany, mirror site or otherwise. Think about that!

In effect, any folks who have a dissenting view in re the Holocaust ranging from 'it never happened' to questioning parts of it or taking serious issue with the 'accepted' facets of it can place these

comments on the Internet OR Usenet newsgroup(s) 'but' if that website or newsgroup is available for viewing in Germany and not blocked for whatever reason (or an unknown generated mirror site), then that person could be subject to arrest as soon as they set foot on German soil. Or, at present, three other nations which have such freedom of speech and right of dissent restrictions.

It is a ramification that has far reaching international consequences and makes a mockery of 'true' free expression and right of dissent by those nations (four at present with others mulling it over) which seemingly advocate such precious freedoms for their citizens yet make their freedom of expression and right of dissent 'exceptions' so blatantly one sided as to form a forced fed dogma of legislated thought. Those who know my writings know that I have defended the historical presence of the Holocaust based on my own study and research both in the USA and Germany itself (1969-72) but to the extent that historical research is an ON-GOING process and thus the unescapable conclusion that history is rarely written in stone. It 'is' subject to historical revision and part and parcel of 'that' process is the absolute right of free expression and unhampered right of dissent so that new findings can be brought to the table and considered. Indeed dissected and analyzed for either its veracity or its worthlessness.

When David Irving challenged the yea braying 'scholars' in re the 'Hitler Diaries' some years ago and he in fact warned various and sundry that they were entertaining highly questionable data, he was scoffed at and ridiculed UNTIL independent analysis proved the 'Hitler Diaries' to be an utterly bogus forgery. Various world historians groused mightily (read: envy with a capital 'E') that David Irving was the first Western historian to get his hands on the subsequent 'Goebbels Diaries' plates post Glastnost and yet when he prepares to publish his views and the manuscript is already accepted for publication by St. Martin's Press in the United States, a world 'haven' as they say for freedom of expression and/or dissenting view, St. Martin's Press caves in to external pressure because a small but vociferous minority coupled no doubt with the usual PC adherents do not care for Irving's 'unacceptable' conclusions.

My question then (and my subsequent public defense of Irving) is the same as now, viz., if it's David Irving today who gets the boot and the muzzle, or indeed Fred Toben just this week, then WHO tomorrow where one's opinions, findings and conclusions seemingly don't 'fit' into the 'accepted' norm? Or dogma. Or, worse, proffered agenda via force of law. Any issue. Any theme. Any basic right to simply say 'I disagree.' What's next? Mandated thought legislation in a 'Supreme Being'—or, conversely, none at all? Think about it. And reflect on history itself!

Dr Anthony J Lomenzo

* * * * *

Dr. Töben in Mannheim verhaftet!

Dr. Fredrick Töben, Direktor des Adelaide Instituts und Verantwortlicher der revisionistischen Website Adelaide Institute, wurde am Donnerstag den 8. April 1999 in Mannheim verhaftet. Dr. Töben besuchte den berühmigten Verfolgungs-Staatsanwalt, Hans Heiko Klein, um mit ihm über sein unseliges Treiben zu sprechen. Dr. Töben war der verhängnisvollen Auffassung, mit Klein sei ein menschliches Gespräch zu führen. Dieser Irrtum sollte für ihn tragische Konsequenzen haben. Frederick Töben besuchte also Heiko Klein am 7. April und wollte an Kleins Vernunft appellieren und ihm die international verbrieften Menschenrechte auf freie Meinungsäußerung darlegen. Klein gab vor, interessiert zu sein und schlug ein weiteres Gespräch am nächsten Tag vor. Dr. Töben, der gegen Hinterlist und Verschlagenheit keine Abwehrkräfte besitzt, nahm die Aufforderung zur Diskussion ernst und kam tatsächlich am nächsten Tag wieder in Kleins Büro. Zu diesem Zeitpunkt hatte der Verfolger bereits alles für Dr. Töbens Verhaftung vorbereitet. Ein hoher Offizieller der politischen Polizei, ein Herr Mohr, war zum Zwecke der Verhaftung anwesend. Dem Haftbefehl Kleins ist zu entnehmen, daß er auf eine längere Haftstrafe drängen wird. Dabei muß man bedenken, daß Dr. Töben in Deutschland nie etwas Eigenständiges publizierte bzw. etwas öffentlich äußerte. Seine Internet-Publikation ist in englisch gehalten und es ist technisch nicht möglich, deutschen Internetanschlüssen den Zugang zu Töbens Website zu verwehren. Das Land, in dem sich diese Dinge ereignen, heißt Deutschland - dies sei all jenen Ausländern gesagt, die das heutige Deutschland so gerne im Lichte von Goethe und Schiller sehen möchten.

(<http://www.adam.com/au/fredadin/adins.html>)

Adelaide Institute, PO Box 3300, Norwood, South Australia 5067

* * * * *

Amtsgericht Mannheim
Staatsanwaltschaft Mannheim
Aktenzeichen: 503 Js 9551/99
Geschäftsnummer: 42 Gs 830/99

Mannheim, den 9. April 1999

Haftbefehl

Gegen den Beschuldigten

Dr. Gerald Fredrick Toebe
geboren am 02.06.1944 in Jadeberg,
wohnhaft in 25 Caloroga Street,
Adelaide/Australien,
australischer Staatsangehöriger,
Familienstand: geschieden,
Beruf: Direktor des Adelaide-
Instituts, wird die
Untersuchungshaft angeordnet.

Er wird beschuldigt, er habe aufgrund mehrerer selbständiger Willensentschließungen jeweils aufgrund einheitlichen Willensentschlusses seit 1996, so unter anderem zuletzt in den Monaten Januar bis April diesen Jahres Von Adelaide/Australien aus u. a. monatlich die von ihm verantwortlich verfaßten Adelaide Institut/Newsletters, ferner die ebenfalls von ihm erstellten "Vierteljahres-Hefte für freie Geschichtsforschung" per Post u. a. an Empfänger im Gebiet der Bundesrepublik Deutschland versandt und auch - inhaltsgleich - per Internet weltweit verbreitet.

In diesen Rundbriefen behaupte und führe der Beschuldigte häufig unter Verwendung angeblicher Zitate, sowie unter Hinweisen auf u. a. im Internet abrufbare "weiterführende" Literatur- jeweils bewußt der historischen Wahrheit zuwider, unter zumindest teilweiser Identifizierung mit den nazistischen Verfolgungsmaßnahmen, in pseudowissenschaftlicher Art, getragen von den Tendenzen, den Nationalsozialismus von dem Makel des Judenmordes zu entlasten, gesteigert und intensiv auf die Sinne und Leidenschaften der Leser einzuwirken, unter Leugnung des von den nationalsozialistischen Machthabern geplanten Vernichtungschicksals der Juden, der Leugnung der Existenz von Gaskammern zur Massentötung von Juden, unter der Verunglimpfung der Überlebenden des Völkermordes und des Andenkens der während der Massenvernichtung ermordeten Juden, unter der Behauptung, die Massenvernichtung stelle eine Erfindung der Juden dar und diene der Unterdrückung des deutschen Volkes, u. a. folgendes aus, so beispielsweise in den am 08.04.1999 aus dem Internet abgerufenen "Vierteljahresheften";

Der Fall Dr. Töben steigt mittlerweile zu neuen Höhe der Verfolgungs-Perversion auf. Hier finden Sie die neuen Entwicklungen im Fall Dr. Töben:

<http://www.sleipnir.purespace.de/3MHaftEng.html> und

<http://www.sleipnir.purespace.de/3Mai.html>

Bitte schreiben dem politischen Gefangenen und dem zuständigen Justizminister:

Dr. Frederik Toben
JVA Herzogenriet 111
D-68169 Mannheim
Germany

Justizminister Dr. Ulrich Goll
Schillerplatz 4
D-70173 Stuttgart
Germany

* * * * *

Thomas Brooks' 'Heroes of our time'

Thomas Brookes feels that the publication of this website HEROS OF OUR TIME was not only necessary, but also urgently long overdue in its publication. Since the defeat of the dictatorships in 1945, the world with it's "New Democracy", promised a new age of freedom for the individual, open government, freedom of opportunity, intellectual research and open debate. Artistic, spiritual and physical freedom was ours for the taking. This idea

was trumpeted regularly around the globe, in the schools, the Universities and in the media. This precious freedom we were constantly reminded, was the reason why the world went to war, to liberate mankind forever from the horrors of persecution, forced dogmas, religious discrimination and racial hatred towards our fellow man.

The age of a new Utopia had arrived. At last we believed in a bright new future for all mankind to celebrate. In the late sixties we began to sense a change in the world's political strategy, increasing emphasis was placed on the defeat of the "Evils of Communism". The need to destroy it where ever it existed, to guarantee the future of freedom for us and the generations to come. We had no reason to doubt our system, we readily swallowed what we were told.

The world was held in the grip of a collective fear of nuclear annihilation. We were told that this balance of terror power was necessary and would guarantee our treasured liberties. Liberties so precious, that if unavoidable, a nuclear war would be fought, to preserve God's unique gift to man notwithstanding that there would be no world left, in which to be free. New laws of secrecy and public order were gradually introduced in order to help protect us from our enemies and criminals. The C.I.A. and the K.G.B. vied with each other in their daily struggles against one another in the defense of their systems. We the people, could only watch with wide open mouths at the antics of these special forces, as each side scored successes when they exposed this and that spy. Hollywood had a field day of inspiration as they produced a plethora of cheap spy thriller films spiced up with murders and sex with their inane "them and us plots".

We were unaware that under the guise of these world threats, groups of well-organized professional operators were beginning to tighten their grip on the world's resources and finances. Gold, silver, precious metals, oil, food production and supplies, pharmaceutical companies, land, banks, technology, military hardware and more importantly the media, our only source of information now lies in the hands of a few people.

The years passed and more political scandals and atrocities took place in Vietnam, Cambodia, Afghanistan, Middle East, Iraq and many smaller states. Some nations in Europe were deliberately destabilized by powerful democratic nations, secretly supporting terrorist organizations or (so called independence groups like the Red Brigade in Italy and in Germany the Baader Meinhof group), to encourage the host nation to conform to a new democratic "Diktat". The media continued to promote and sell the idea of Human Rights (a very noble ideal) to an all believing public via an already subservient easily malleable intelligentsia.

Our honest democracies stood idly by, whilst illegal outrage after outrage took place in the Middle East. Millions of innocent people, forced to flee from their homes and lands, without a word of protest from the various Presidents in the Democratic West. The

Mafia was usually blamed for the massive increase in illegal drugs pouring into the west and beyond and for many assassinations of political personages not always in line.

During these years a small but growing number of dedicated historians and scientists began to question many aspects of World War II which they felt required serious answers for the sake of historical accuracy. They soon experienced what the so-called freedom of expression really meant in practice. They had naively believed it was their natural right. They found themselves persecuted by various national courts especially in the new showpiece Democratic Republic of Germany. Some of the bolder spirits were imprisoned, others heavily fined and nearly all forced out of their chosen professions, vilified and in a number of cases physically attacked and in some cases, murdered. If anyone doubts that the Orwellian world is now upon us and tightening its grip, we refer to one of Germany's renowned news pagers, "Welt am Sonntag" (Oct. 25, 1998, p. 38), describing the situation in democratic Germany as follows: "The thought police of the correct political opinion", is spreading in Germany.

These brave people were duly victims of "The Thought Police Of Correct Political Opinion" and they were character assassinated and generally described as odd characters with dangerous crazy ideas, weirdo's, frustrated failures and Nazis, despite the fact they came from every sector of the political spectrum. Many were communists, others were democrats from the center, the right and from the political left. Only one was a self proclaimed Nazi. This orchestrated hysteria is reminiscent of the teachings of Jesus Christ when the manipulated crowd shouted at him "you are demon possessed" (John, 7:20).

What united them all, was their hunger for the truth and the very high level of education they possessed. Scientists, doctors, engineers, lawyers, historians, writers, journalists who were respected members of society until they touched on taboo subjects.

Under the cover of Civil Liberties and the daily chorus from every corner of the world on "Human Rights" to the present day incessant demands to persecute anyone accused of "Race Hate." George Orwell's terrible vision of the future is now steadily taking on a discernable shape. The Orwellian system has continued to advance, it's long sharp claws stretching out in all directions to snuff out the life of true liberty.

At this present time of political correctness, we must obey, "One World, One Law, One Democratic system", any resistance or objection to this movement, either by culture or national self determination, will be ruthlessly crushed just as effectively as the Chinese students were in Tiannamin Square. Inspired by the courage of the few (thousands are persecuted and imprisoned in Western Democracies), we owe it to them and to others, to arm ourselves with education to fight back, with the certainty that what is being achieved is honourable and in the noblest traditions of

many of our freedom loving ancestors who experienced similar humiliations.

This website is dedicated to the Heroes of Our Time of all nationalities and religions who have suffered and are still suffering, having given so much of their lives in pursuit of truth and the right to express it.

* * * * *

FOREIGN AFFAIRS AND TRADE Canberra ACT 0221

Facsimile Message

To: Australian Consulate General FRANKFURT

From: Consular operations CANBERRA

Subject: CONSULAR : ARREST : TOBEN, GERALD FREDRICK

During an interview on the television program "Face to Face" this morning the Minister answered questions regarding the alleged arrest of Dr Toben in Germany.

Attached is a copy of a cable to Bonn seeking a further update on efforts made by both Missions to confirm details of the alleged arrest. Grateful if you could liaise with Bonn and provide an early update which would assist the Department in fielding further enquires from the media.

Date: 11 April, 1999

*

CONSULAR: ARREST: TOBEN, GERALD FREDRICK

THE AAP RECENTLY CARRIED A REPORT THAT DR FREDRICK TOBEN 9PDOB JADE. DEU, 02/06/44, PPT L5890829 ISSUED ADELAIDE 27/10/970 HAD BEEN ARRESTED IN MANNHEIM OVER PUBLIC COMMENTS HE IS ALLEGED TO HAVE MADE IN GERMANY DOUBTING THE SEVERITY OF THE HOLOCAUST. DR TOBEN IS A DIRECTOR OF A GROUP KNOWN AS THE ADELAIDE INSTITUTE. HE AIRS HIS VIEWS ON A WEBSITE (WWW.ADAM.COM.AU) WHICH CHALLENGES WIDELY ACCEPTED DETAILS ABOUT THE HOLOCAUST.

2. DETAILS OF HIS ALLEGED ARREST WERE PROVIDED TO THE MEDIA BY A FELLOW HOLOCAUST REVISIONIST, DAVID IRVING.

3. INITIAL ENQUIRIES BY THE CONSULATE GENERAL IN FRANKFURT HAVE BEEN UNABLE TO CONFIRM WHETHER DR TOBEN HAS BEEN ARRESTED. WE NOTE THAT DR TOBEN WAS BORN IN GERMANY AND WONDER WHETHER GERMANY PRIVACY ACT PROVISIONS MIGHT PRECLUDE THE LOCAL AUTHORITIES FROM PASSING DETAILS OF THE ARREST TO AUSTRALIAN GOVERNMENT AUTHORITIES IN GERMANY.

4. MR DOWNER APPEARS ON THE TV PROGRAM 'FACE TO FACE' THIS MORNING AND RESPONDED TO QUESTIONS REGARDING

DR TOBEN'S ALLEGED ARREST. IN ORDER THAT WE MAY RESPOND TO FURTHER MEDIA ENQUIRES WE WOULD BE GRATEFUL IF YOU COULD PURSUE ENQUIRES, IN CONJUNCTION WITH FRANKFURT, TO ASCERTAIN WHETHER MR TOBEN HAS BEEN ARRESTED.

5. YOUR EARLY RESPONSE WOULD BE APPRECIATED.

*

The response:

To: Consular Operations Canberra Attn: Jim Harper
Cc: Australian Embassy Bonn
Date: 11 April 1999

From: Peter Frank Consul General, Frankfurt

ALLEGED ARREST: TOBEN, GERALD FREDRICK

Since receiving initial advice via Consular Operations, on evening of Thursday April 8, that Dr Toben had allegedly been arrested in Frankfurt, possibly at Frankfurt airport, and that he was possibly being held at Mannheim prison we have contacted, and recontacted, all of the relevant local authorities, ie

- * Frankfurt police
- * Mannheim police
- * Mannheim prison
- * Frankfurt airport border guards

In all cases advice received was the same, ie, there was no record of the arrest, or incarceration, of a Dr Gerald Frederick Toben.

Contrary to para 3 of your April 11 cable I would thus submit that initial enquiries by the Consulate General in Frankfurt confirmed that Dr Toben had not been arrested, at least not by the regional authorities contacted by us.

I am not familiar with provisions of German Privacy Act referred to in your para 3 and am not in a position to pursue this aspect any further today(Sunday). I would in any case regard this as something more appropriately pursued at the federal level, my the Embassy in Bonn.

In the absence of any further information concerning the whereabouts of Dr Toben I have difficulty envisaging what more we can undertake, on a regional level, to advance these investigations. It would be most helpful if David Irving could be contacted to provide such details but don't see this as something we would pursue ex Frankfurt.

I propose discussing future options directly with Bonn on Monday and we will naturally be pleased to provide whatever support needed to clarify/resolve this issue.

Peter Frank

Appendix 5



Correspondence, 12 April 1999

From: Rod
To: Stephen, Trevor, Chris
Cc: Ernie Edwards, Lucinda Meagher
Priority: Urgent. Receipt requested
Subject: Re: Consular Arrest – Dr Frederick Toben

Further to my earlier e-mail of 10:18 a.m. 12 April Mannheim prison has just advised (in response to a further enquiry by Mr Joachim Waldi of the Consulate-General in Frankfurt) that Dr Toben is an inmate of the prison. According to the prison official, Dr Toben was arrested on Friday afternoon but further information is not as yet available.

Dr Toben's lawyer, Dr Brock, has been contacted and requests an urgent visit to Dr Toben – this is currently being arranged with prison authorities and Mr Heiko Klein, the State Prosecutor. It is intended, subject to obtaining the necessary approval from the prison authorities (which we are pursuing), that the visit take place as soon as possible – possibly later today but more likely tomorrow morning (Tuesday, 13 April 1999 Bonn time).

The State Prosecutor advises that Dr Toben will not be sentenced today as investigations in the case have only just begun. The State Prosecutor advises that it will be some time before the investigation is completed but is unable to be more precise at this stage.

We will advise further details and developments as soon as possible by follow-up cable.

Regards
Rod

*

Reply: Rod

We have just been given the following information by SBS (television) stating the following comes from David Brockschmidt of the Adelaide Institute.

Heiko Klein – State Prosecutor – 621 29 22 276
Mannheim Prison – 621 174 2250
Toben's lawyer is Dr Brock – 621 156 4747

They claim he is being sentenced today and will probably be deported.

Appendices

Could you please check this information and let me know the outcome through the COC.

Thanks
Steve

*

To: Ross, Stephen, Martin, Chris
Hi Steve/Chris

Just to let you know, I have an appointment with “Klein”, the responsible Public Prosecutor in Mannheim at 10 am tomorrow (13 April) and am scheduled to see Dr Toben at 1 pm at Mannheim prison.

I'll report on the visit en retour!

Cheers & Regards
Ernie

Appendix 6



Geoff Muirden's media release, 13 April 1999

Demand Release of Toben

Dr. Fredrick Toben, a leading Australian anti-communist, has been arrested in Germany on charges of "defaming the memory of the dead" and is now in Mannheim Prison.

Rightists around the world are demanding Toben's release. The leftist German regime made the arrest based on the content of Toben's Internet page, which takes the anti-communist side of history.

Gary Lauck, an American citizen, was kidnaped by German police while on vacation in Denmark and held for four years on a similar charge.

"Defaming the dead" is a leftist catch-all for depriving writers, publishers and speakers of freedom of speech. America has a Bill of Rights which prevents such arrests.

The Nationalist Movement condemned the Toben arrest, but warned Americans to stay out of Germany until the ruling regime falls. Rightists have captured a governorship in Austria lately and observers predict that the unpopular Schroeder coalition, which is importing Moslems into the country from the Balkans, will be short-lived.

Appendix 7



The Advertiser, 14 April 1999

City wants to stop misuse of its name

Adelaide City Council will investigate if it has any right to stop the name “Adelaide” being misused by controversial companies and organisations. The move follows the arrest in Germany of Dr Fredrick Toben, the director of a Holocaust-denial group, Adelaide Institute.

Councillor Michael Harbison has told the council the Adelaide Institute “brings our city into disrepute”.

He believes the council should have the power to “screen” all organisations which use the name Adelaide in their titles.

“We should be able to screen the bona fides of people who use the name Adelaide,” Mr Harbison said yesterday.

“There is potential for the good name of Adelaide to be dissipated or brought into disrepute.”

The council’s principal legal officer, Ms Sue Renner, said the council already had copyright over the name City of Adelaide. The 1998-99 *White Pages* includes seven pages of businesses and other organisations that start with the word Adelaide.

Dr Toben who claims the Holocaust of Nazi Germany never occurred, was arrested last week for “defaming the memory of the dead”.

A local institute member, Mr David Brockschmidt, said yesterday Mr Harbison’s claims were “absolute nonsense”.

“We have not brought anybody into disrepute,” he said. “The Adelaide Institute has been operating nearly five years ... the incarceration of Dr Toben only took place last week. (The council) have no legal right to stop us now just because Dr Toben was been locked up.”

The Adelaide Institute, based at Wattle Park, is represented around Australia and in other parts of the world. Its membership mainly comprises historians who investigate events over the past 100 years, focusing particularly on the Nazi Holocaust. Dr Toben’s supporters said Dr Toben could be held in a German jail for up to four months pending a trial on “hate-speech” charges.

They claim Dr Toben would remain in jail after being denied bail by authorities in Mannheim. He was arrested there after challenging the extent of the Holocaust while in Germany and through his website and newsletters.

Appendix 8



Letters and publications, 17 April 1999

From *The Age* and *The Sydney Morning Herald*:

Rewriting the Holocaust - Crusader for truth or Holocaust denier?

By Penelope Debelles

"Wish me luck," Dr Fredrick Toben posted on his Web site at the end of March as he left Eastern Europe and entered Germany on a provocative research mission in the cause of Holocaust revisionism.

A fortnight later, the German-born Australian schoolteacher found himself in jail in Mannheim.

Dr Toben, who runs the international Holocaust revisionist forum, the Adelaide Institute, primarily through a well-organised Web site, is expected to be in jail for at least the next three to four months until a hearing is held.

After that, bail is likely to be set at a level which his Australian lawyer, Mr John Bennett, from the Australian Civil Liberties Union, expects to be as high as \$100,000 and is unlikely to be met.

A court case will then be fought accusing Dr Toben of defaming the dead, a charge introduced in Germany specifically to curb Holocaust denial.

According to Mr Bennett, who will go to Germany for Dr Toben's hearing, the charge carries a possible jail sentence of five years.

Dr Toben says he is not a Holocaust denier.

"No-one denies that this terrible thing happened," Dr Toben told me in a 1996 interview. "We are looking at the allegations that Germans systematically killed people, specifically Jews, in homicidal gas chambers."

His Adelaide Institute colleague, David Brockschmidt, who knew Oskar Schindler and says his father organised the work permits for 1,200 Jews to travel from Poland to Schindler's Czech factory, says Dr Toben is a courageous man, a free and independent thinker and truth-seeker.

"None of us are neo-Nazis or any nonsense which the other side - especially organised Jewry - is trying to throw on us," Brockschmidt says. "One of our major jobs is to divide the historical fact from the hysterical fact of war propaganda."

"If you have a few loonies of the neo-Nazi Right who hop on the bandwagon and use that, that's too bad and we cannot stop that, but more than 90 per cent of us, I can tell you, are serious people."

Brockschmidt met Toben in Adelaide at a viewing of the Steven Spielberg movie *Schindler's List*. The film, he says, was Hollywood Zionist propaganda soap opera.

"I couldn't believe what this Hollywood man, Steven Spielberg, made out of it," Brockschmidt says.

"It's a sad thing that these people have to forget history all the time to get what they want."

Brockschmidt introduced himself to Toben and was immediately impressed with the institute and his work. It is neither racist nor anti-Semitic, he says, but scientific research.

"History and the Holocaust has nothing to do with race," he says. "It's history, facts and figures - nothing more."

Jeremy Jones, the Sydney-based director of community affairs for the Australia, Israel and Jewish Affairs Council, says his office received distressed calls from Holocaust survivors and their children after Toben's Web site - which can be found using the word Auschwitz in a search engine - began in early 1996.

As well as being investigated by the Human Rights Commission after complaints by the Simon Wiesenthal Centre in Los Angeles, it is the continuing subject of direct complaint by Mr Jones's council under the Federal Racial Hatred Act.

"Fredrick Toben is one of a number of Australians who has sought to offend, insult, intimidate or bring into contempt Jewish Australians through the vehicle of Holocaust denial," Mr Jones said. "Neither he nor his colleagues deserve anything but the contempt of all thinking Australians."

Toben, 55, is a driven man. Born in Jade, northern Germany, in 1944, he emigrated to Australia when he was 10 to live with his family at Edenhope, western Victoria. He has Bachelor of Arts degrees from Melbourne and Wellington universities, and a PhD in English and philosophy from Melbourne.

He went on to teach at Goroke Consolidated School near Edenhope but in 1985 fell foul of the Victorian Education Department and was sacked, allegedly for incompetence and disobedience.

Toben, who after that drove the school bus to earn money, took the Education Department to court, claiming wrongful dismissal. His claim was upheld and he was awarded a small sum but was not re-employed, although he tutored in sociology for a time at Warrnambool Institute of Advanced Education, now a Deakin University campus. He wrote a book about the sacking called *Bloodied but Unbowed*.

After moving to South Australia, Dr Toben has worked sporadically as a temporary relief teacher but his employment record shows only one day of relief teaching last year and none in 1999.

Over the past five years, the Adelaide Institute and its pursuit of a Holocaust without the Auschwitz gas chambers and with far fewer casualties has become his passion.

This journey, he says, is the final intellectual challenge of the 20th century.

"We are worried about the fact that to date it has been impossible to reconstruct a homicidal gas chamber," Toben writes of the institute's forensically based mission to prove, or disprove, the Holocaust.

"Even the Holocaust Museum in Washington informed us that it could not bring one across from Europe because there are none available. This is like a space museum without a rocket or the Vatican without a crucifix."

Brockschmidt is expecting a media backlash against the Adelaide Institute but overall, with Toben in jail, business could not be better.

"We are extremely happy about it because the feedback coming from all over the world is fantastic," he says. "And they are creating a martyr."

Historical note: The Nazi Holocaust of Jewish people in World War II is one of the most thoroughly researched subjects of modern history. Scholars agree the total number killed is between 5.8 million and 6.6 million, and that nearly a third of those were murdered in death camps, many by the use of poison gas or diesel exhaust.

* * * * *

German bid to muzzle Internet

Germany will use its prosecution of the Adelaide-based Holocaust revisionist, Dr Fredrick Toben, to try to erect national boundaries over the Internet.

Dr Toben, arrested in Mannheim, Germany, last week for publicly disputing the mass murder of Jews, is being charged over material posted on his Adelaide Institute Web site.

The Australian online liberty group said because the material was downloaded in Germany it was being treated as a German publication for which Dr Toben was liable under laws prohibiting Holocaust denial.

The charges were separate from those arising from Dr Toben's conversation with a government prosecutor, Mr Hans Klein, and which led to his arrest.

West Australian lawyer Mr Kimberley Heitman, chairman of Electronic Frontiers Australia, said the German Government was in effect deciding it intended to legislate for the entire world.

But Mr Heitman said its attempts to enforce this in an international medium forum were likely to be futile.

“As a result we should simply acknowledge that the global Internet is the sort of resource where the opinion of one Government doesn’t mean much,” Mr Heitman said.

Germany has made three similar attempts to bring the Internet to heel, without much success. The American Internet service provider Compuserve voluntarily censored pornographic material from its service feeds in a clumsy attempt to meet Germany’s concerns but Mr Heitman said the material simply turned up on other providers.

* * * * *

Andreas Röhler: Alternativer Historiker verhaftet

Als der deutsche Bundestag 1994 die Verschärfung des Volksverhetzungsparagraphen beschloß, beeilte man sich mitzuteilen, daß sich dieser Strafrechtstatbestand nicht gegen Historiker richte, daß die Freiheit der Forschung wie der Geschichtsschreibung gewährleistet sei usw. Im September 1997 wurde der Historiker Udo Walendy inhaftiert, und am 10. April diesen Jahres konnte man dann in der Berliner “tageszeitung” lesen: “Historiker festgenommen”. Wie Recherchen der Slepinnir-Redaktion ergaben, ist ein Haftbefehl auf Antrag des Mannheimer Staatsanwaltes Hans Heiko Klein, der bereits die Haft des Übersetzers Deckert betrieb, ausgestellt worden. Dieser Haftbefehl zitiert ausführlich einen Briefwechsel zwischen Dr. Toben und dem Historiker Gerald Fleming.

Toben hatte Fleming scharf angegriffen, dem Angegriffenen aber auch breiten Raum zur Erwiderung eingeräumt, so daß der Haftbefehl nun Rede- und Gegenrede zur Begründung dieser Inhaftierung nimmt. Toben hatte sich insbesondere für ein offenes Gespräch zwischen Deutschen und Juden, sowie zwischen Juden und Palästinensern eingesetzt; “Slepinnir” druckte in Heft 5/98 einen Aufsatz aus dem von Toben herausgegebenen Journal “ADELAIDE INSTITUTE” nach: Der seinerzeit mit Oskar Schindler, dessen Leben und Taten die Vorlage zu Spielbergs Film “Schindlers Liste” gab, bekannte David Brockschmidt hatte in “Schalom und Salam” auf unmißverständliche Art den 50sten Jahrestag des Staates Israel gewürdigt.

Die Inhaftierung Tobens ist auch ein Angriff auf die in Deutschland lebenden Juden, wird doch der Eindruck erweckt, die Geschichtsschreibung habe etwas zu verbergen, Juden könnten sich dem Wettstreit der aufgezeigten Tatsachen nicht stellen.

Dieser Haftbefehl ist - wie bereits der Volksverhetzungsparagraph - seiner Tendenz nach nicht nur antisemitisch, er bedeutet eine Beleidigung aller in Deutschland lebenden Menschen, er ist ein Angriff auf demokratische Bestrebungen; wird dem Bürger doch - wenn historische Tatsachen per Gesetz geschützt und von

kritischer Überprüfung freigestellt werden sollen - das Urteilsvermögen und damit die Menschlichkeit abgesprochen. Ein Vorgehen, das nach Ansicht der "Sleipnir"-Redaktion nicht nur deutsches Recht und Gesetz bricht: Hier werden internationale Normen eines kultivierten Umganges im Streit um die historische Wahrheit verletzt. Gerald Fleming hat es nicht nötig, seinen Gegner einsperren zu lassen, er kann sich sehr wohl - wie jeder Wissenschaftler - auf die Kraft seiner Argumente, und auf diese allein, stützen.

Für nähere Auskünfte wenden Sie sich bitte an Oberstaatsanwalt Kneip in Mannheim, Tel.: +49621-292-3537, Fax: +49621-292-3256 oder direkt an den Inhaftierten

Dr. Frederick Toben, z. Zt. in Untersuchungshaftanstalt, Herzogenrietstraße 111, 68169 Mannheim

Mit freundlichem Gruss und der Bitte um Ihre Aufmerksamkeit

Andreas Roehler (V.i.S.d.P.), 17. April 1999

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**Andreas Roehler: Historian vs. state - two worlds apart
(Translation by Luis Fernández Vidaud)**

From the state prosecutor's point of view, "investigating" means nothing other than finding "facts" (or better stated: pseudofacts) for a position that one has already been convinced of a priori. Never will the examination of the facts lead a legal investigator to alter his original opinion, which he considered to be apodictically correct, just as he considers himself to be infallible. So, if you come up with facts that challenge or even contradict the state's official ideology, then you are obviously an enemy of the state. You need to be arrested, prosecuted and eventually convicted.

Needless to say, you also could use a little bit of brainwashing that the state is more than happy to administer to you. This is what happened to Frederick Toben, an Australian historian, as he was talking to a German state attorney about his research concerning the Holocaust just a week ago. Obviously, his finding did not conform to state doctrine, which - as everybody knows - is absolutely correct and cannot be doubted.

Imagine if the "investigating" method implemented in German courts - especially in criminal courts - were to be adopted in other disciplines such as in the natural sciences or other domains of human knowledge? Would that not end up in a total catastrophe for the entire human race? What is normal for jurisprudence turns out to be fatal for more serious disciplines.

Indoctrination is the key for the "rule" of German "law." Faculties and research institutes would be asking the government first what opinion is "politically correct" before proceeding to do any work. Then, they would begin twisting the facts to suit the state. After all, the ideology is right. Hence, the facts have to be

amended. But, this reminds me very much of George Orwell's 1984.

April 14, 1999 Luis Fernández Vidaud www.psychonauten.de

ps: [The attorney's warrant mentions and criminalizes an exchange of letters between Toben and historian Gerald Fleming, allegedly published under www.adelaideinstitute.org/Sleipnir]

For further requests please write to:

Oberstaatsanwalt Kneip in Mannheim, Tel.: +49621-292-3537, Fax: +49621-292-3256 or contact

Dr. Frederick Toben, z Zt. in Untersuchungshaftanstalt, Postfach 103254, 68169 Mannheim.

Appendix 9



Letters and publicity, 20 April 1999

The ABC-TV's *The 7.30 Report*:

Australian historian faces German jail over Holocaust views

Now to the case of the Australian revisionist historian whose arrest in Germany has become an international test case for freedom of speech on the Internet. Dr Fredrick Toben, who is the director of a group called the Adelaide Institute has been charged under a German law which prohibits defaming the memory of the dead. German authorities allege Dr Toben has questioned the scale of the Holocaust and dismissed accounts detailing the use of gas chambers in Nazi concentration camps. If found guilty he faces five years in jail. Mike Sexton reports on a case with implications beyond German borders.

DAVID BROCKSCHMIDT: Truth is always inconvenient and one of our jobs is to divide the historical facts of history from the hysterical facts of war propaganda.

DANNY BEN-MOSHE: Holocaust denial is about the rehabilitation of Naziism. It pursues a political agenda. It's a racist agenda. For Australia, it means a white supremacist agenda.

MIKE SEXTON: Until a few weeks ago Fredrick Toben was an amateur historian who was little known in Australia, let alone elsewhere. But his arrest in Germany has turned him into an international martyr for free speech and has raised questions about the future of cyberspace.

FREDERICK TOBEN (ADELAIDE INSTITUTE VIDEO): Here at Oswiecim Railway Station until at least 1943 most persons destined for the Auschwitz concentration camp made their first stop.

MIKE SEXTON: This documentary is one of the works produced by Fredrick Toben as director of the Adelaide Institute. Born in Germany, he came to Australia as a child and has a philosophy doctorate from Stuttgart University. After years as a high school English teacher, Dr Toben turned his passion for history into an organisation based at his home called the Adelaide Institute.

DAVID BROCKSCHMIDT: We have been always accused, and still are accused, as being holocaust deniers. Now that is absolutely ridiculous. We are not.

Denying the Nazi Jewish Holocaust, like denying the Bolshevik Jewish Holocaust or the Maoist Holocaust or any Holocaust is like

saying the earth is flat and the moon is made from green cheese. Of course we don't.

MIKE SEXTON: The institute boasts 250 members across Australia and is drawn to contentious views of history.

DAVID BROCKSCHMIDT: The Adelaide Institute was founded about five years ago and the major reason for it was to find out about truth in history, especially dealing with the Nazi Jewish Holocaust, the homicidal gas chambers and with the Bolshevik Jewish Holocaust between 1917 and 1953 until Stalin died.

MIKE SEXTON: Dr Toben, seen here during a visit to the former concentration camp at Auschwitz in 1997, believes there isn't proof that millions of Jews were executed in gas chambers.

FREDERICK TOBEN (ADELAIDE INSTITUTE VIDEO): This second door you can see is supposed to be gas tight. That is the problem.

DANNY BEN-MOSHE: Fredrick Toben is not a historian, he's not a scientist, he's not an engineer. Let's say I studied science at school and I decided, "You know what? I want to be a scientist. "I'm going to establish the Melbourne Institute for Scientific Research," I would put on an Internet site and I would say, "You know, the world isn't round, it's flat." Would people take me seriously? Would they even consider my issues? Would they give me the time of day? Of course they wouldn't. The same should apply to Fredrick Toben.

MIKE SEXTON: Although the group has produced videos and papers, its main publicity vehicle is its web site. The Adelaide Institute has twice faced the Australian Human Rights and Equal Opportunities Commission charged with breaching the Federal racial vilification laws. But it was when Dr Toben again travelled to Europe to research that his situation got worse. On his return to Germany, he was interviewed by a prosecutor. They'd met before and discussed the views of the Adelaide Institute but this meeting was different.

DAVID BROCKSCHMIDT: One of the state security officers was sitting in there in the dark without identifying himself. Within the conversation, he got up and said, "Dr Toben, you're under arrest. You've violated the criminal code of the German law." And he was taken away and thrown into jail.

MIKE SEXTON: Frederick Toben has been arrested under German law that makes it illegal to question the Holocaust, a charge known as defaming the memory of the dead.

If found guilty, he faces five years in jail. David Brockschmidt accuses German authorities of entrapment. However, it's clear from this 1998 lecture that Dr Toben is well aware of German law.

FREDERICK TOBEN (ADELAIDE INSTITUTE VIDEO): It's a massive allegation which cannot be questioned in Germany and other European countries because laws have been enacted which prevent such an exercise.

KIM HEITMAN: It's not beyond the realms of possibility that this is partly a publicity exercise. However, he has generated an important principle, and that's that if a person publishes on the Internet in Australia, should they have to answer to another government for it?

MIKE SEXTON: Kim Heitman is a Perth-based lawyer who chairs Electronic Frontiers Australia. He says Dr Toben's case illustrates his concerns about governments trying to censor the Internet.

KIM HEITMAN: People should be free to express opinions, even if they're unconventional opinions or even if they're plainly wrong. The beauty of the Internet is that everybody can be a publisher of their own opinion. So in conventional media it's very difficult for somebody who disagrees with an opinion to have an equal right of reply and redress, whereas on the Internet this is simple and easy.

MIKE SEXTON: It's a view shared by John Bennett of the Australian Civil Liberties Union. He sympathises with Dr Toben's views on the Holocaust and believes the principle is so important, he's prepared to fly to Germany to defend him.

JOHN BENNETT: I think it's a very important free speech issue. I think people should be able to express their views in relation to history. After all, history has been constantly revised. The official figures for Auschwitz have been reduced from 4 million to just over 1 million and that sort of revision would not be possible if we didn't have freedom of speech.

MIKE SEXTON: Opponents of the Adelaide Institute believe the defence of free speech is overriding a wider issue.

DANNY BEN-MOSHE: My organisation has profiled almost 100 Australian hate sites. Clearly, if we recognise, the Government recognises - and I think this is a bipartisan view - that we have to deal with the problem of, for example, pornography on the Internet, then we have to deal with the problems of other forms of prejudice and dangers on the Internet, and racism is clearly one of them.

DAVID BROCKSCHMIDT: We have a right to know, we have a right to research and we have a right to publish that so everyone has a chance here to see what the archives really hold and I think establishment, governments and political and religious organisations fear this very much.

* * * * *

E.J. Wall & Associates, Perth to Alexander Downer, Minister for Foreign Affairs, Canberra:

Dear Mr Downer

Dr Toben - Imprisonment in Germany

We are Australian solicitors acting for Dr Toben.

We refer to the writer's recent telephone conversation with your "adviser" about the charging and imprisonment of Dr Toben in

Germany. We enquired as to what the Australian Government was doing to obtain the release of Dr Toben. The writer was informed the Government had arranged for the usual “Consular visit” to Dr Toben and should we require further information we should contact Dr Toben’s German lawyers.

Dr Toben was arrested because his historical revisionist material on the Adelaide Institute website can be downloaded in Germany. This, of course, is due to the international nature of the Internet.

There is absolutely nothing in the content of the website that would constitute a criminal offence in Australia. Because of the contents of the website Dr Toben has been charged with “defaming the memory of the dead”. This is an offence unique to Germany and is used to stifle free speech in relation to enquiry about the extent of the Holocaust.

We understand that Dr Toben will be held for 4 months in prison before his trial, and if convicted faces up to 5 years imprisonment.

His arrest and imprisonment represents the most outrageous and intolerable infringement of human rights. Dr Toben is an Australian Citizen and we respectfully suggest that this matter deserves more than arranging the usual consular visit. The Minister should protest this matter at the highest diplomatic levels and in all international forums.

We look forward to hearing from you urgently as to what further steps you intend to take in this matter.

Yours faithfully
E J Wall & Associates

Copied to:

- *The Prime Minister, John Howard,
- *The Attorney General, Daryl Williams,
- *The Minister of Justice, Amanda Vanstone.

*

The reply from the Department of Foreign Affairs and Trade, 21 May 1999:

Dear Mr Wall

Thank you for your letter of 20 April 1999 to the Minister for Foreign Affairs about the detention of Dr Toben in Germany. Mr Downer has asked me to reply on his behalf.

We note your concerns about Dr Toben’s detention and the charges against him but I am constrained to say that this Department is unable to comment on German law or on the charges brought by German authorities. Those matters are more properly the domain of the German authorities and Dr Toben’s legal representatives.

As you were previously advised when you telephoned the Department, the basis of our interest in Dr Toben’s case is to

provide him with consular assistance of a kind that is available to any Australian who is detained in a foreign country. I am afraid that privacy considerations do not allow me to provide further information about our consular dealings with him.

Yours sincerely

Robert Whitty
Director Consular Operations

Appendix 10



Correspondence, 21 April 1999

Olga Scully to Prime Minister Howard:

Dear Mr Howard

Mr Fred Leuchter is an American technician who holds patents in many technological inventions which are used by the American military forces.

When Mr Leuchter was imprisoned in the Mannheim gaol in Germany he was very concerned by the obvious fire risk presented by the ancient electrical wiring in that old building.

As a matter of urgency would you please let me know when the wiring of that building was last renewed. Like me, you must be very concerned for the safety of the Australian citizen(s) currently in that gaol.

Also as a matter of urgency would you please give me a report on what you have done to secure the immediate release of Dr Fredrick Toben of Adelaide who is being held under a racist law known as "Defaming the memory of the dead".

Yours sincerely

(Mrs) Olga Scully

[FT's note: In all fairness to the Mannheim Prison authorities, there was more a problem with the automated security doors than with the electrical wiring when I was there. At times it was not possible to open exit doors because of some faulty electronic switch. I believe an upgrade of the wiring was undertaken after Fred Leuchter left that prison. The whole complex was also re-wired for cable TV.]

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The reply, dated 18 May:

Dear Mrs Scully

Thank you for your letter of 21 April 1999 to the Prime Minister about the detention in Germany of Dr Toben. The letter was referred to the Minister for Foreign Affairs on whose behalf I am replying.

In my separate letter to you of 11 May 1999 I explained the scope of our consular interest in Dr Toben's case. I note your comments

about the condition of Mannheim prison where Dr Toben is being detained and can only say that those views are not supported by the Consul who has visited Dr Toben.

The question of Dr Toben's release, which you raise, will be determined by the German judicial system in which the Australian Government neither has nor seeks any role.

Yours sincerely

Robert Whitty
Director
Consular Operations

* * * * *

Mrs M. Whitmore to the Minister for Foreign Affairs:

Dear Mr Downer

With reference to last night's *7.30 Report* on Channel 2 ABC, I was very distressed to see an Australian citizen being arrested and jailed in Germany.

I was more disturbed when I realised you, as Foreign Affairs Minister, did not seem to know much about it, according to your statement last week, when this event took place.

Why can Germany impose its controversial hate laws on an Australian citizen who should be guaranteed freedom of speech? I am aware there are elements in Australia who are trying to get such hate laws enacted in this country. Surely this is discrimination in favour of one ethnic group and should never be allowed.

Even though the word 'democratic' is used by some countries, adherence to international treaties on hate, human rights, discrimination, etc, have destroyed the democratic right of freedom of speech. This is evident in Australia today, when you look at the cases which come up before the courts, and the intimidation used by certain sections of the community to deny some people access to this country.

You have had a lot to say about the two CARE workers in Kosovo. When are we going to hear you insist on the release of Dr Fredrick Toben who is a law-abiding Australian citizen, arrested in a foreign country on spurious charges.

As Mr John Bennett of the Australian Civil Liberties Union said last night, history is always in the process of revision, as evidenced in figures he gave last night. Truth and justice will not prevail until controversial subjects are open for debate without censure or vilification.

Awaiting your reply.

Yours faithfully

(Mrs) M. Whitmore

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The official reply, dated 21 May 1999:

Dear Mrs Whitmore

Thank you for your letter of 21 April 1999 to the Minister for Foreign Affairs about the detention of Dr Toben in Germany. Mr Downer has asked me to reply on his behalf.

We note your concerns about Dr Toben's detention and the charges against him but I am constrained to say that this Department is unable to comment on German law or on the charges brought by German authorities. Those matters are more properly the domain of the German authorities and Dr Toben's legal representatives.

The basis of our interest in Dr Toben's case is to provide him with consular assistance of a kind that is available to any Australian who is detained in a foreign country. I am afraid that privacy considerations do not allow me to provide further information about our consular dealings with him.

Yours sincerely

Robert Whitty
Director
Consular Operations

Appendix 11



Fredrick Töben to *The Age*, 22 April 1999

Rewriting the Holocaust

Sir

I would like to congratulate Penelope Debelle on her balanced and objective report about my imprisonment in Germany. By way of a right-of-reply, permit me to state the following:

1. My PhD is not from Melbourne University. During 1972-76, I studied at Heidelberg, Stuttgart and Tübingen universities, and submitted my thesis to Professors Max Bense and Elisabeth Walther at Stuttgart University. The essence of my work compared C.S. Peirce's fallibilism principle with K.R. Popper's theory falsification.
2. The title of my book that details Victorian Education Department corruption is *The Boston-Curry Party*, obtainable for \$30 from Adelaide Institute, PO Box 3300, Norwood SA 5067.
3. The historical note in your article requires correction as well:
 - 3.1 The Exterminationist Jean-Claude Pressac informed me during my visit to his home – see Internet Travel Diary – that owing to his rejection of the 5.8 – 6.6 million figure, French Jewry has rejected him as a friend. However, he still has a warm relationship with an influential Jewish Holocaust study centre in Milan, Italy.
 - 3.2 Dr Joel Hayward, Massey University, wrote his thesis on Revisionism in 1993, wherein he concludes that there is no evidence to suggest mass gassings, either by poison gas or direct exhaust, ever occurred.
4. Mr Jeremy Jones does me an injustice when he states that I “sought to offend, insult, intimidate or bring into contempt Jewish Australians through the vehicle of Holocaust denial”. It is Mr Jones who is the hater, who despises truth as a moral virtue and wishes to commit mental rape on me. He cannot answer intelligently and maturely my expressed concerns which have arisen out of my research conducted at Auschwitz concentration camp during April 1997 and April of this year.
5. My imprisonment is also an attack on German Jews because it suggests that Jews cannot defend themselves against my theses. The German law is anti-Semitic in sentiment and insulting to

those set on establishing democratic principles where historical facts need no legal protection.

6. Fortunately for all Australians, it is still not a criminal offence to falsify premises, as is the case here in Germany. Public prosecutor Klein decries serious Holocaust research as “not serious” and “pseudo-scientific”. Ironically, since my incarceration, I have been put through the thorough German bureaucracy where nothing happens without a command and a signature. When I had to give answers, I was informed to tell the truth – or else, punishment would follow. I now find myself in a situation where if I tell the truth about what I found at Auschwitz at Krema II (the alleged homicidal gas chamber) I am breaking a German law. How come? Germany has criminalised the holding of revisionist theses. I tell the truth, I stay in prison; I tell lies, I get out of prison. Is this desired behaviour not immoral and unworthy of a researcher? The foundation of our western civilisation rests on the moral value TRUTH. What has this to do with hatred, offence, insults, as Mr Jones claims? Is he not advising us to be immoral?
7. I am constantly reminded how Galileo empirically challenged the geocentric world-view. The Roman cardinals refused to look through his telescope and view Jupiter’s moons. That act would have dignified Galileo’s heliocentric world-view. Over 300 years later, the Vatican exonerated Galileo by stating that “owing to a judge’s error of judgment” Galileo is rehabilitated. The parallels to my case are striking, but I hasten to add, I am only the latest of dozens of individuals who have challenged the Holocaust orthodoxy. Yet, freedom of thought and speech is a virtue is a virtue fighting for. It gives us our humanity.

Fredrick Töben

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FT’s note: On 26 May prosecutor Klein advised me in writing that he was withholding the letter – without giving me a reason. It was read out during the first day of my 2-day trial on 8 November because it proved that I had an incurable revisionist mindset. This is the German text:

Sehr geehrter Herr Dr Toben,

Den an den “Editor The Age” gerichteten Brief hat das Amtsgericht Mannheim beschlagnamt; den Briefumschlag nebst einem internationalen Antwortschein gebe ich zu meiner Entlastung zurück.

Hochachtungsvoll

Gez. Klein, Staatsanwalt (GL)

Appendix 12



The Herald Sun, 26 April 1999

Dear Sir

According to the *Herald Sun* (April 20) two Care Australia workers detained in Yugoslavia for alleged spying will be released soon, following efforts by Australian diplomats.

Unfortunately, Australian diplomats do not seem to have done much towards releasing Dr Fredrick Toben, arrested in Mannheim, Germany, for “defaming the memory of the dead”. Dr Toben is an Australian citizen, not a citizen of Germany, yet to date faxes sent to Foreign Affairs Minister Alexander Downer, calling on him to assist Dr Toben as an Australian citizen, are unanswered.

I know that Australian Embassy staff visited Dr Toben in Mannheim Prison and inquired into the circumstances of his arrest, but I have no evidence that they made any substantial attempts to secure his release.

If Australian diplomatic staff would make the same efforts on behalf of Dr Toben that they did for the alleged spies in Yugoslavia, some of us would be highly appreciative.

Yours sincerely

Geoff Muirden

Appendix 13



Dr Gerard Henderson's articles in *The Sydney Morning Herald* and *The Age*, 27 April 1999

This man no innocent abroad. An Australian facing charges in Germany is there precisely because he chose to challenge the law (*The Sydney Morning Herald*)

When a Holocaust revisionist seeks martyrdom, Fredrick Toben could have avoided the ire of German authorities. He chose not to (*The Age*)

Is Fredrick Toben an entrapped political prisoner, a martyr for historical truth en route to becoming a human sacrifice and/or an innocent Australian abroad? Or none of the above?

What is clear is that the Adelaide-based amateur historian has an unfortunate sense of timing. Certainly, Dr Toben has won his moment of fame, albeit in unpleasant circumstances, incarcerated in Mannheim, where he faces charges under the German law that prohibits defaming the memory of the dead. This legislation is aimed at thwarting the resurrection of the extreme Right.

How did an Australian stumble into this? The exact details are not known but the general story is clear enough. Fredrick Toben was born in Germany in 1944 and, 10 years later, migrated here with his parents. He attended primary and secondary schools in South Australia and Victoria and did his first degree at Melbourne University. He subsequently studied in New Zealand and Germany, where he obtained a doctorate in philosophy before returning to Australia. He admits that he is "not an historian".

In the early 1990s Toben began posting out a newsletter titled *Truth Missions*, a cheaply produced flyer, opposing war crimes trials in Australia and querying the nature and number of Jewish deaths in the Nazi Holocaust. In late 1994 Toben dumped the name *Truth Missions* and began circulating his views as a newsletter of an organisation he termed the Adelaide Institute. Later the institute all but abandoned the printed word in preference for a website.

The AI is based in Toben's home in suburban Adelaide. It has a couple of hundred (overwhelmingly male) members countrywide. They describe themselves as "a group of individuals who are looking at the Jewish-Nazi Holocaust, in particular...the allegation that the Germans systematically killed six million Jews...".

Until this year Toben received little publicity, apart from the modest media coverage of a case brought against him in the Australian Human Rights Commission by Jeremy Jones, vice-president of the Executive Council of Australian Jewry. Jones claims that Toben's website breaches the Racial Discrimination Act by inciting hatred against the Jewish people. The commission has yet to announce its finding.

Then Toben decided to spread his campaign internationally. The AI's website quotes with apparent approval a report in the *Wimmera Mail-Times* (22 February 1999) that "Dr Fredrick Toben flies to Europe today to challenge the German ban denying the Nazi genocide of the Jews". One diary note, written by Toben in late March, contains the words: "Next missive from Germany, wish me luck."

The available evidence indicates that Toben knew about German law with respect to comments on the Holocaust before travelling to Mannheim. This is confirmed by one of the institute's own videos, which was shown on ABC TV's *The 7.30 Report* last Tuesday. It depicts a Toben lecture in which he claims that the Nazi Holocaust "cannot be questioned in Germany" because "laws have been enacted which prevent such an exercise. According to the institute's website, "this arrest was a case of entrapment". It claims that "Dr Toben is a political prisoner" who "has joined the list of martyrs for historical truth".

Geoff Muirden, an institute member, has been quoted as declaring that Toben "has become a human sacrifice". David Irving, the British revisionist historian, has also weighed into the debate. He told ABC Radio's *AM* on April 10 that he regarded Toben's German visit a "naïve and foolish in the extreme". Irving added: "But that's one of the endearing charms of the Australian people; they are nice, simple, innocent people who don't believe that ... in the Northern Hemisphere the laws are different."

Condescension apart, Irving is simply wrong. Toben, an Australian citizen of German extraction, is well aware of German law. That is precisely why he went to Europe on this trip. It turns out that timing and technology went against him.

Toben arrived in Mannheim, where there is considerable concern about the emergence of the extreme Right. That concern extends through Germany and neighbouring Austria, where, last month, Jörg Haider's extreme right-wing Freedom Party obtained a staggering 42 per cent of the vote in a regional election. What's more, the recent bombings in London and shootings in Colorado (all of which have been perpetrated by individuals with connections to the extreme Right) are likely to make authorities in Europe and North America even more cautious about right-wing movements.

This is not to suggest that the Adelaide Institute is in any way associated with political violence.

It is not surprising that successive German governments, conservative and social democrat alike, want to prevent the circulation of any propaganda that may give succor to the lunar right, broadly defined. It is here that technology ceases to be the institute's friend.

There is no evidence, so far at least, that Toben has queried in Germany the nature and extent of the Holocaust. But material placed on the institute's website in Adelaide can be downloaded in, say, Mannheim. Furthermore, Toben consciously chose to draw the attention of German authorities to his, and the institute's, views on the Holocaust. He even arranged a meeting in Mannheim with a government prosecutor.

Right now, no doubt, German authorities are examining the institute's website. What will they find? Plenty. Toben's personal diary refers to the "alleged homicidal gas chamber story". It seems that it is official institute that there was no death camp on the Auschwitz site. But that's not all. An institute member, David Brockschmidt, alleged on *The 7.30 Report* that there was a "Bolshevik Jewish Holocaust between 1917 and 1953 until Stalin died". This is repeated on the website, which praises Helen Demidenko-Darville for raising the issue in her (discredited) novel *The Hand That Signed The Paper*.

This is a rehash of the old "Judaism equals communism" theory, which has been completely debunked. In fact, during the last decade of Soviet dictator Josef Stalin became quite anti-Semitic. This is well documented by Robert Conquest in *Stalin: Breaker of Nations* (Phoenix, 1998) and in Arkady Vaksberg's *Stalin Against The Jews* (Vintage, 1995).

From time to time the Jewish-Bolshevik conspiracy line has been run by many an ideologue. But it should not be forgotten that this theory was central to Adolf Hitler's early political thought, as depicted in *Mein Kampf*.

As an Australian, Toben is entitled to the consular assistance that is available to his fellow citizens abroad. And he deserves a fair hearing. But it is a matter of record that he is in this predicament because he sought to challenge German law. It is unlikely that German authorities will take much notice of Toben's claim that he is a campaigner against so-called "political correctness". No doubt they have heard that cliché before.

Appendix 14



The Sydney Morning Herald, 28 May 1999

Dear Sir

Gerard Henderson's commitment to free speech is remarkably shallow. The point of free speech, as Voltaire knew, is that if it doesn't exist for those people whose opinions you regard as vile and stupid, it doesn't exist at all.

Heaven help us if Australians come to believe, like Gerard Henderson, that successive German governments, or any governments, are the possessors of absolute truth and that anyone who disagrees with them is a heretic deserving punishment. Fredrick Toben might well be seeking his own martyrdom, if that has any relevance to anything, but, however unworthy and irrational his views might be, he will be a martyr for free speech.

Yours sincerely

Geoff Mullen
McMahons Point, Sydney

Appendix 15



Correspondence, 2 May 1999

Mrs G.R. Miller to the Minister for Foreign Affairs:

Dear Sir

My concern is the imprisonment of Dr Fredrick Toben an Australian citizen in Germany on the basis of a unique German law which makes it a criminal offence to “defame the memory of the dead”. I would like to ask you what you are doing to execute his release. As this law is only held in Germany, Australian citizens , if offending against that law, should be deported and not imprisoned. I hope you put in motion the necessary means for his early release.

Yours sincerely

Mrs G.R. Miller

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The official reply:

Dear Mrs Miller

Thank you for your letter of 2 May 1999 to the Minister for Foreign Affairs about the detention of Dr Toben in Germany. Mr Downer has asked me to reply on his behalf.

The basis of our interest in Dr Toben’s case is to provide him with consular assistance of a kind that is available to any Australian who is detained in a foreign country. I am afraid that privacy considerations do not allow me to provide further information about our consular dealings with him.

I note your concerns about the German law under which Dr Toben has been charged. The questions of how and when Dr Toben may be released are matters for the German judicial system in which the Australian Government neither has nor seeks any standing.

Yours sincerely

Robert Whitty
Director
Consular Operations

Appendix 16



Correspondence, 4 May 1999

Mr M. Sladd to Mr Downer:

Dear Sir

Are you concerned by the imprisonment of an Australian citizen in Germany under such a bizarre law as 'Defaming the memory of the Dead'?

Please send me a report on what you have done to secure the release of Dr Fredrick Toben from Mannheim Prison which is known for its medieval conditions.

Waiting for your reply.

M. Sladd

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On 18 May 1999 an official reply was penned, again by Mr Whitty:

Dear Mr Sladd

Thank you for your letter of 4 May 1999 to the Minister for Foreign Affairs about the detention of Dr Toben in Germany. Mr Downer has asked me to reply on his behalf.

The basis of our interest in Dr Toben's case is to provide him with consular assistance of a kind that is available to any Australian who is detained in a foreign country. I am afraid that privacy considerations do not allow me to discuss the details of our consular dealings with Dr Toben beyond saying that our Consul has visited him in prison and is monitoring his wellbeing.

I note your concerns about the German law under which Dr Toben has been charged. The legal reasons for Dr Toben's detention are matters for the German judicial system in which the Australian Government neither has nor seeks any role.

Yours sincerely

Robert Whitty

Appendix 17



Nigel Jackson in *The Australian*, 5 May 1999

So far the arrest of Holocaust revisionist Dr Fredrick Toben in Germany has caused few ripples in Australian society, no doubt because the cause he has espoused is exceptionally unpopular.

Australian intellectuals ought to consider more carefully the following implications of that muted response.

If it does not matter than an Australian citizen is arrested and (as will probably happen) jailed for expressing a dissident view of the Holocaust, then it does not matter if in the future Australians receive the same treatment within Australia once appropriate legislation has been enacted.

And if that does not matter, then it does not matter if, later on, Australians are arrested and jailed for expressing dissident views of other historical and political scenarios which the State has declared to be beyond criticism.

The focus should not be on Dr Toben's beliefs and behaviour, but on the German laws which fundamentally, unjustly and dangerously infringe upon freedom of thought, free speech and political association.

Appendix 18



The Sydney Morning Herald, 7 May 1999

Dear Sir

Dr Fredrick Toben, the director of the Adelaide Institute, has been arrested in Germany. He is likely to be held in jail for about four months pending the hearing of his case and faces a jail term of up to five years.

The arrest of Dr Toben, and the imprisonment of many other revisionists querying the extent of the Jewish Holocaust, threatens freedom of speech. His arrest has grave implications for freedom of speech on the Internet since the charge relates to a Web site created in Adelaide which is legal in Australia but which can be viewed and downloaded in Germany, allegedly in breach of German law. All major free speech groups in Australia have condemned his arrest.

Dr Toben has shown great moral courage in challenging the official version of the Holocaust and giving publicity to the terror bombing of German cities. While the Holocaust comes up almost daily in the media, the bombing atrocity is seldom mentioned.

History is constantly being revised. The reduction for deaths at Auschwitz from 4 million to just over 1 million could not have taken place without freedom of speech.

John Bennett
President of the Australian Civil Liberties Union

Appendix 19



The Australian, 3 June 1999

Defamation slips through Net
Claire Harvey

Free-speech laws in 'the Bahamas, Tazhakistan and Mongolia' may prevent Australia's courts from stopping defamation on the Internet.

In a landmark ruling, the NSW Supreme Court said yesterday it could do nothing to shut down a Web site that defamed Macquarie Bank because the court did not have the right to impose NSW laws on other countries.

A spokeswoman for Macquarie said the bank might launch an appeal, but refused to comment on the judgment.

The Web site was apparently created by disgruntled former employee Charles Joseph Berg, who is taking action against the investment bank in the NSW Industrial Relations Commission over his dismissal in 1998.

Justice Carolyn Simpson said she could not stop the Web site, even though she was satisfied it defamed Macquarie Bank and senior manager Andrew Downe.

'It may very well be that, according to the law of the Bahamas, Tazhakistan (sic) or Mongolia, the defendant has an unfettered right to publish the material', she said in the judgment. 'To make an order interfering with such a right would exceed the proper limits of the use of the injunction power of this court'.

Mr Berg was believed to be in the US and the Web site had a US address, Justice Simpson said, adding that any order she made could only be enforced if he returned to NSW voluntarily.

The Web site does not name its author, but quotes interviews with Charles Berg, and Justice Simpson said it was reasonable to assume he was the creator.

Appendix 20



Fredrick Töben's first typed letter to Australia from prison

Here we are, my first letter from Cell 1334 written with a borrowed typewriter. One of Deckert's associates – 'rechte Hand' (right hand), Herr Eric Rossler, kindly brought it in for me. This indicates to me that there are still Germans who have some humanity left. But it is rare and in stark contrast to how Klein, Mohr, Neuenreither and Burk treated me. The latter simply delighted in exercising their power 'given to me by the German state', as Judge Burk said to me. Well, that kind of power is rather lacking in moral values – in justice. But then the Germans have not a *habeas corpus* tradition which prevents anyone from being put in prison indefinitely. That's what is still happening in Germany – arbitrary arrests. The legal code prevents this because it is automatic that any arrest is reviewed after three months. However, this is overcome by issuing new Arrest Warrants, as in my case. The official time of my imprisonment is thus not two months but one month, and two more will now have to elapse when a statutory review of my incarceration takes place.

And you can imagine, all this is done with German thoroughness. But that's where their Achilles heel lies – they are so thorough that they stuff up, then refuse to admit it's a messed-up case. Dann sind sie ganz verbissen und versuchen alle Karten zu spielen die sie glauben in Besitz zu haben, anstatt wahrheitsliebend zuzugeben sie haben einen Fehler gemacht.

A few days ago I met my first 'extreme right-wing', a young fellow drugged out and unable to string together an intelligent sentence. He was involved in some physical violence, then to top it off, had worn a T-shirt with the Celtic cross and a Swastika. That was enough for him to be carted off to prison and interviewed by Staatsanwalt Klein and his boys.

No wonder these latter feel a little challenged when they meet someone like me – it is an insult to my intelligence to be put in such a category. But that is what the *Rhein-Neckar-Zeitung* at Heidelberg has done by reporting about my case. The supposed closed meeting on 3 May with Judge Burk leaked like the Titanic. The smear campaign against me has begun – I am branded as an extreme right wing and Holocaust denier – the usual nonsense ... thanks to Klein and his boys.

The so-called right-wing fellow needs help. He is a typical example of the type that exist in any Western society. I saw these poor creatures in eastern Europe as well. Both the so-called 'left' and 'right-wing' are similar types: they are basically illiterate and drugged out. Their political awareness is at the level where it is a Trotzreaktion to sport the things that are not allowed. Anything Verboten is delightful for them to tell the authorities to go to hell.

I saw this a thousand times at school and university – perhaps recalling my own times there. In Germany it is an industry to keep the Holocaust story going – and thereby remain in political power. But I see this as a sad moral breakdown of a once great cultural nation. It is a decline into consumerism – even this prison is a part of the consumer society. Tobacco and coffee are the legal substances floating about in this place. I am informed that anything can be bought in any of the German prisons – if you have the money, then someone will get it to you, no matter about the security. I am lucky not being dependent on any of those consumer things for which inmates crave.

Kant was out to imbue the people with reason and developed his Categorical Imperative accordingly. He saw the problem clearly as one of individuals finding their own voice – eine Befreiung von seiner eigenen Unmündigkeit.

Staatsanwalt Klein wishes to speak on behalf of and protect the Jewish community in Germany from the likes of me. He thinks that our work is harming them. He cannot realise that such paternalism is in fact antisemitic. It implies that the Jewish Germans cannot defend themselves against our arguments. This, in turn, gives more credibility to our argument that they have something to hide. A pity that Klein, et al, do not know Prof Noam Chomsky's thoughts about the homicidal gas chambers. It would make them blush with ignorance – and of course make their work superfluous. They would be looking for a job elsewhere.

Klein reminds me of McCraw who tried to get rid of me from school, and he did. But I still won over him – perhaps thank him for what he did. Likewise Klein. He does not realise that so far, besides the personal discomfort, it's all going well.

Butz has said somewhere that I may be lost to revisionism – too bad, I am my own master. Can you let me know how SBS-TV handled the issue of 'Hate on the Net'. I would suppose that this multicultural station is fuelling the condescension that Jewish Australians need to be protected because they are too weak to do it themselves. What an insult to Judaism!

One compliment I must pay the German prison system. To my knowledge there has been no death in custody because prisoners are not placed in solitary upon entering the system – except the first contact via the police prison cell.

In this way a suicidal prisoner is always with two or one other person in a cell and never alone. Our Black Deaths in Custody can

be overcome by ensuring that no Aborigine is ever placed in a single cell – a simple solution. It's almost as if this solution is too simple for the police to understand.

On the other hand, just recently two foreigners died while being flown out of the country. One fellow had tape plastered over his mouth and thus suffocated as he sat on his plane seat, and the other had a motorbike helmet over his head and the police pushed his head between his knees to keep him quiet sitting on his plane seat – and he too died. The Grenzschutz fellows responsible now face the music – not their superiors.

There are other matters that make me worry about the quality of German judicial thinking, especially in the younger judges and public prosecutors. The totalitarian nature of the German mind, so often ascribed to the 'Nazis' only, is still there. But then, we have this same kind of phenomenon at home – and other countries have similar tendencies, even in liberal USA. But there they have a Supreme Court that ensures the constitutional right to free speech is upheld, as it was when the court rejected Bill Clinton's attempt to censor the Internet.

This kind of Bevormundung is a characteristic trait of immature minds – where prejudice and intolerance reign supreme. The basic democratic freedom to tolerate another person's opinion is seen as an insult, a Beleidigung. The person who feels insulted, however, needs to grow up, needs to realise that it is the nature of a democracy to tolerate persons who think differently, who dance to a different tune, who see things with different eyes, who formulate and say unconventional things. The strength of a democracy is to tolerate the crazies, the loonies, so long as they do not physically hurt anyone. Even the Baader-Meinhoff people were tolerated during the 1970s. Their crime was not their politics as such but their physical deeds – killing and bombing. No society can tolerate such a revolutionary strategy without falling apart. Now in Germany there is the fear of thoughts themselves. This reflects badly on those who are currently in power. It indicates that they are not prepared to grow up and understand and tolerate that which is not mass-consumed. Dissidents are always way ahead of the masses. That is why we chose the 'Viam Monstrare' as our motto – thanks to Gisela for getting it right.

The stories I have heard from prisoners who have been held on remand for months on end because they refuse to 'zeige Reu'e', because there is no reason to apologise, is frightening. Gossip has it that cases in Baden-Württemberg's prison would not be upheld in other Bundesländer – and this from Judges. In such instances it is judges themselves who are subjective, fearful of losing face if they admit they have erred in their assessment. Little wonder that a Rechts-Radikal case is so easy to deal with in the severest terms – it's all black-and-white for them because that's what the law says. There is no shade of grey.

And here we are again on to my favourite English language topic: the literal and figurative use of language. Take things literally and you have a good case for litigation. The German judiciary, as anywhere else in the world, loves to take things literally 'Das ist eine Beleidigung' (That's an insult) is a common phrase used by those who are not verbally skilled enough to express their innermost feelings. It is also a phrase used by those who have not matured into independent-thinking persons. It is a well-known fact among educators that the opening of immature minds is a delicate matter. Often the process is a painful one, and those charged with the task of broadening a mind can become hate-objects. Why? A person who has never been confronted with personal mental limitations, is often shocked by the realisation there is a cluster of personal blind-spots preventing further development. The task of an educator – the search for wisdom in the Socratic sense – is to present to a student the mirror of self-reflection. Any maturity must come from within the student's innermost, from the soul, and not from an impulse of fear or favour of consequences. That's the essence of the Kantian Categorical Imperative. Figurative use of language then opens up the imaginative impulse and propels the individual into the realm of unlimited creativity. It is here that the conceptual prisons of literalism evaporate and an individual finds true freedom of thought and speech, that is, becomes a Mensch.

I am just listening to Beethoven's 9th Symphony. I recall how I first began to play the Karajan recording in 1968 in Lumsden, New Zealand while surviving my first full-time year of secondary teaching. Thirty-one years later and I am alone in a prison cell again listening to this music. Has anything changed besides the obvious physical surroundings? I've been there, done that and still love it. I think it's the second verse of Schiller's contribution to this symphony:

Wem der grosse Wurf gelungen, eines Freundes Freund zu sein;
Wer ein holdes Weib errungen, mische seinen Jubel ein!
Ja, wer auch nur eine Seele sein nennt auf dem Erdenrund!
Und wer's nie gekonnt, der stehle weinend sich aus diesem Bund.

The 18th and early 19th centuries were really full of creativity – and bloodshed. Goethe not only met Schiller but Napoleon as well. Wagner, too, a little later fled the various state potentates who saw in him a revolutionary needing incarceration, until Ludwig of Bavaria saved him and loved him for his musical creations. It was on 13 June 1886, 13 days after his arrest, that Ludwig allegedly drowned in a shallow part of the lake which to this day is part of the Wagnerian pilgrimage.

Schiller, Goethe, Beethoven, Wagner, Johann Strauss who died on 3 June 1899 – great Germans who gave the world so much creativity – who also suffered personal indignities, mostly to do with some form of an 'immortal beloved'.

I'm reminded that within my near three months of imprisonment I have not had a single dream-filled night that caused me pain.

Even my former wife turns up and it is all pleasant – nothing hurtful. I'm just amazed that during my nightly dreams – and I dream every night without fail – it is always something or somebody involved with a crisis, but that I wake up smiling, my love stronger than ever. I should really be bitter towards those who have hurt me, those who have put me into this prison – but I can't. I feel sorry for them.

I think of Staatsanwalt Klein whom in rejecting bail, insisted I be placed in prison because of his perceived fear of my fleeing Germany (Fluchtgefahr).

I am informed that Klein used to be a good footballer, perhaps a little too fat, and certainly during his younger days thoroughly left-wing in politics. There is little hope of his perceptual framework maturing beyond these old habitual left-wing categories – for that he is too German, too rigid and dictatorial, and lacking in imagination.

A hundred years ago a German jurist, Alsberg, reflected on this catch-all Fluchtgefahr concept, and thus Klein is doing nothing extraordinary in insisting I be imprisoned. He is merely a good German running true to form – Ordnung muss sein!

An anticipated long sentence is in practice without fail and in truth a nonsense argument to effect most arrest warrants. It is as if an infallible prophet is predicting the kind and severity of the sentence that will be handed out. Neglected thereby is that the accused's personal demeanour, the intonation of the spoken word are also considered before a judge pronounces his judgment at this pre-trial stage. But not enough. It is creatively predicted from the accused's soul itself – which cannot be done – that owing to an anticipated and inescapable long sentence from which no lawyer can protect him, the only avenue of redress is a travel agency. Any flight overseas is futile in this age of extradition agreements between governments, especially for serious offences. In this respect the prophet is not believed. No consideration is given to the person's family ties, property, social status and other factors tying a person down to a home. This in itself takes away the fear of a long prison sentence. Again and again we lawyers see how an accused is moved by only one worry: how to gain freedom and provide for his family. How can judges involved in criminal law assume that the majority of accused persons prefer to lose their property, their home, their family rather than fight for justice? The fight for justice! In reality rather a fight against injustice. But our judges see it daily that someone they assume to be guilty fights for his freedom and honour just as energetically as the one whom they assume to be innocently involved in an allegation ... to the grave. Doesn't this apply more so to the accused. In my case the first arrest warrant was so hastily cobbled together it stated: Er verfügt in Internet über keine festen Wohnsitz und keinerlei familiäre Bindungen. Auf freiem Fuss belassen besteht die Gefahr, dass er sich der Strafverfolgung – endgültig – durch die Flucht in sein Heimatland Australien entziehen wird.

If all this wasn't so serious, then I should laugh at the incompetence of this German bureaucratic manouvrrerings in nailing me at Mannheim. This is what I mean when I say even the highly professional and well-functioning German bureaucracy is not infallible – though it may believe to be so by declaring things to be not in dispute!

I am referring, of course, to this intellectually dishonest concept of 'Offenkündigkeit', which permits judges to simply select evidence items at their own discretion. Naturally in Holocaust trials these judges commit 'Rechtsbeugung' – all the more reason why they should declare themselves, en masse, biased (Befangenheit) when it comes to dealing with matters of history. how can any judge know anything about the subject matter over which historians themselves cannot agree?

That's the mystery which awaits me in a few months time. I shall be delighted to see how a judge will dare to become involved in historical issues when this is not his domain. But while Germany is still an occupied country, anything is possible. There are still many individuals who will forsake any sense of justice for an anticipated legal career. The judges of former East Germany simply claimed all they were doing was interpreting the law as it stood – that's how simple it was for them to be absorbed into the united Germany judiciary.

No wonder Dr Stäglich's words continue to ring in my ears: All that is needed for justice to prevail is a couple of mature and courageous judges to lead the way – Viam Monstrare!

The missive continues – always more to write about ...

The German Federal Minister of Culture, Dr Michael Naumann, was recently interviewed by Thomas Gross, member of the editorial board of the local *Mannheimer Morgen* newspaper, 5-6 June 1999. The Bundestag is soon to vote on the plans submitted for the proposed Holocaust memorial planned for Berlin. Gross asked Naumann whether he agreed with Martin Walser's comment that a memorial without a museum or information centre would become a place for wreath deposition only. Naumann agreed.

To the question when this now ten-year discussion would come to an end and a final design chosen, he said that at the end of June the Bundestag would make its decision, then about the same time next year construction would begin. He favours the monument and documentation centre planned and designed by Peter Eisenman. It would have to offer the younger generation 'eine Erneuerung des Wissensbestandes über das, was damals geschehen ist' (The latest information about what happened in the past).

This makes it imperative that someone sends this Minister a copy of Dr Joel Hayward's thesis. It would inform the German government of the latest research, though I am also hoping to do that through the coming trial here in Mannheim. We shall then see

whether the German government continues to lie to its people, as it did when the Bundeskanzleramt knowingly falsely translated then British Prime Minister, John Major's 8 May 1995 Berlin speech – wherein his 30-year war reference was distorted by separating WWI and WWII which Major had deliberately eliminated. That this offends against the German's own sense of viewing WWII as unique was towards Germans – another Viam Monstrare, this time from Britain.

Appendix 21



Documents on David Irving's website on the arrest of Fredrick Töben

New letter from Fred Toben

Adelaide Institute director Dr Fred Toben is held without trial in a German jail on account of materials posted on his Australian website, to which the notorious German public prosecutor Hans-Heiko Klein had taken exception. Toben, an Australian revisionist, was arrested in Klein's Mannheim, Germany, office in April 1999. The letter has just [Saturday, July 31, 1999] reached London, evidently delayed by German censorship authorities:

7 June 1999

Dear David:

Greetings from Cell 1334 at Mannheim Prison, and thank you for your publicising my arrest on your website. Your print-out, together with about 50 related items and 30 greeting cards, now graces my cream-coloured cell walls. Although the stark reality of actual physical incarceration is still there, when I look at the various items, I momentarily imagine I am back home in my study.

I note in Dr Gerard Henderson's article in *The Age*/SMH, of April 27 that he quotes your ABC Radio AM comments of 10 April: "... naive and foolish in the extreme. But that's one of the endearing charms of the Australian people; they are nice, simple, innocent people who don't believe that ... in the Northern Hemisphere the laws are different."

Assuming that you have been correctly quoted let me say the following: I may be naive, but I nurture that kind of naiveté because it permits me to perceive things without mediation — without crippling prejudice. Staatsanwalt Klein [right] is so obsessed with his 'Nazis under every bed' that he cannot open his mind to new and perhaps uncomfortable historical facts that threaten his much-loved Holocaust dogma. Live reflection becomes sterile ritualism which regards new information as a transgression — revision does not take place and thus the mind stops thinking.

My aim of bringing the conflicting parties together has only partially been successful. Still, I managed to speak to some judges, public prosecutors, and lawyers in Germany before Mr Klein stopped my work. I am appalled at their ignorance about the homicidal gas chamber allegation. This stupid concept of

'Offenkundigkeit' has dummed-down the Germans to a terrible degree — even judges said to me that they were not really capable of judging the details of the gassing story as to their veracity because that is not necessary according to §130, et al.

As an educator I do not even give up on opening Mr Klein's eyes to the basic facts of my argument, though I fear that Mr Klein is actually well informed on all aspects of the Revisionists' theses. That is his moral problem — he knows the truth but continues to persecute. I am tempted to generalise and say that his 'typical German' authoritarian mind-set prevents him from opening his mind to new impulses. A police officer has informed me that Klein used to play a good game of football at one time and that his politics has always been thoroughly left-wing. Well, I have a number of supporters who used to be 'left-wing' and have no love for Nazi ideology but seek the truth about those homicidal gas chambers allegations at Auschwitz. Again, as an educator, I do not give up on any student and I see Mr Klein as a naughty, unruly, and loutish unwilling learner who may be led to the light, away from his self-created conceptual prison as a self-confessed Nazi-hunter.

In 1997 I met Rabbi Cooper, Prof. Eberhard Jäckel, et al, and so came in contact with intellectuals who are in open denial about Auschwitz. Likewise this year — I now understand why the Mannheim judiciary is traumatised because of the Deckert case, which saw Judge Orlet courageously give Deckert a good character-reference. This Orlet-paralysis is still deeply rooted within Mannheim-German judicial circles. However, I shall venture a prediction — like yours of some years ago — that the myth will not last up to the Year 2030 which is Ignatz Bubis' wish. We shall make certain that the truth will emerge a long time before that palatable for German consumption.

You see, David, like you, I seek the dialogue with my so-called 'enemy'. You were friendly and approachable towards Prof. Jäckel and Fleming — until they broke the trust you had given them. I have certainly been disappointed by Mr Klein's immoral behaviour in having me arrested, but that is only a sign of this man's problem in being mentally challenged. He remains within his own conceptual prison — he is not free. He has not, to my knowledge, ever embraced the Socratic method of enquiry, though his side-kicks, Messrs Schenker and Mohr claim to be familiar with Popper's falsification principles.

I'm amazed how an admission of fallibility is understood by some as a kind of weakness when in fact it admits that our knowledge acquisition is forever a growth process. For example, Mr Jeremy Jones, "the Foreign Minister of Australian Jewry" as you so aptly described him, stated in the May issue of *The Australia/Israel Review*: "Despite some of the more wide-eyed reportage, Fredrick Toben does not describe himself as an expert or authority in any area of history. To the contrary, he has written: 'I am not a historian and I have massive knowledge gaps and so I approach the

'holocaust' topic from my field which is philosophy." This comment causes me to smile because Jones regards you as a mere writer! I think it is obvious who has mental problems. Jones cannot produce 30-odd history books, as you can! And yet Jones doesn't like you either. Does he like anyone?

So, David, I'm nearing the end of this letter to you and wonder whether it will be used by Mr Klein as evidence that I am communicating with a most undesirable person — who has also offended against that catch-all §130. Today I received a note from him in which I am advised that a letter from Jürgen Graf addressed to me has been withheld because its contents may be used against me in the coming trial.

Think of it, this typewriter was kindly provided by Günter Deckert's right-hand man, Eric Rössler. Does this make me an even greater 'extreme right-wing' fellow traveller? Guilty through association? All this Gesinnungsschnüfflung seems to me so childish, were it not such a serious matter of 5 years maximum!

Kant's obsession, if we can call it that, was to establish reason as a guide to human interaction. Liberation from one's own Unmündigkeit characterises a mature moral being. Klein wants to continue to bevormunden the Jewish Germans, as Jones wishes to do likewise in Australia. This, I would say, is a blatant antisemitic act. Jews are well capable of defending themselves when it comes to the matter of the homicidal gas chamber allegation. The claim of being hurt I do not accept anymore from those who have been in this battle as seasoned soldiers, such as Jones, et al.

The Littleton massacre was perpetrated by two youngsters who felt "hurt and insulted" by the way their co-students treated them at school. This morbid sense of feeling hurt, this lamentable claim of being a victim of discrimination, is an immature response to LIFE. What is needed in place of this discrimination concept is a resurrection of a sound sense of Justice. Whether I will be accorded justice in Germany before a judiciary that is still deeply traumatised by the Orlet-affair remains to be seen. Jones ends his article with an interesting bet both ways: "If Fredrick Toben is 'unlucky' in Germany, it will only be because he has received a fair trial". How can I receive a fair trial from judges who are not expert historians?

Regards

Frederick Toben

Address: Fredrick Toben
Political Prisoner,
JVA,
PO Box 103254,
D-68169 Mannheim,
Germany

Appendix 22



Rhein-Neckar-Zeitung, 26 May 1999

Dear Sir

With reference to the 5 May item, 'Auschwitz-Leugner bleibt in Haft', please afford me a right of reply:

1. What is so 'abstruse' about my theories? Why is it worth imprisoning me, if what I say is a lot of nonsense?
2. You label me 'Rechts extrem'. Scientific research knows no politics, except the search for truth. I have never belonged to a political party, but this does not prevent me from speaking to individuals whom you would label as 'left' or 'right-wing'.
3. We are not 'leugnen' the deaths of Jews. We ask for proof that the homicidal gas chambers at Auschwitz existed. Is asking questions in Germany forbidden? Not so in Australia because thinking individuals always ask questions. We do not want to believe in the allegations. We want to physically look at the murder weapon-homicidal gas chamber!
4. The Toben-Töben matter. I was born Töben.
5. You state, 'hartnackiger Holocaust-Leugner'. We do not deny the Nazi-Jewish Holocaust, just as we do not deny the Bolshevik-Jewish Holocaust, nor the Maoist Holocaust, not the Dresden-Berlin-Pforzheim Holocaust.
6. You say, 'in diesen Kreisen'. Why don't you open yourself to our arguments? Because if you did you would be arrested! There is no freedom of speech in Germany - theses are criminalized. You have a dogmatic, authoritarian attitude towards your own history. You are cowards and you hate truth. This means that you can only defame those who 'Andersdenkende' (dissident). You take my freedom away and this makes you dictatorial. Where is your tolerance, your democratic spirit?

Fredrick Toben

Appendix 23



To the editor of *Der Spiegel*, 23 May 1999

Dear Mr Aust

In your 6/1999 edition I found an interesting article headed 'Holocaust – Die Augen fest zugemacht'. At pages 145 I found the following sentence: 'In seinem Arbeitsnachweis vom 2. März 1943 notiert er: 'Fussboden betoniert in Gaskammer'. 'Your correspondent concludes 'This is one of the few documentary proofs of the greatest crime of German history, preserved in the Auschwitz camp files'.

I would be pleased if you could name me the other proofs. I am interested in same because for two months now I have been in Mannheim prison because I claim there is no proof. Except in court judgements, which unfortunately only speak of 'Offenkündigkeit' (public knowledge). As a researcher, I cannot accept such an attitude because judges and public prosecutors are not historical researchers. To date I know of no judge who has travelled to Auschwitz-Birkenau so as to inspect the murder weapon at first hand.

Fredrick Toben
JVA
PO BOX 103254
D-68169
Mannheim
Germany

Appendix 24



The Age, 19 June 1999

Downer flies to the rescue. The Foreign Minister tries to free
the three jailed CARE workers
Brendan Nicholson

Australian hopes for the release of three CARE Australia workers jailed as spies in Belgrade soared last night when the Foreign Minister, Mr Alexander Downer, flew to Belgrade in an all-out bid to secure their release.

A spokesman for Mr Downer said the minister had been given no guarantee that his visit would secure the release of Mr Steve Pratt and Mr Peter Wallace and their Yugoslav colleague, Mr Branko Jelen.

But Mr Downer has said several times recently that he would not go to Belgrade unless he received a strong indication that his presence would make a substantial difference.

Mr Downer was picking up Mr Wallace's parents, Ross and Judy, in London on the way. Mr Pratt's wife, Samira, is already in Belgrade and has visited her husband several times over the past week.

The CARE Australia chairman, Mr Malcolm Fraser, said Mr Downer obviously believed that there was a good chance his visit would tip the balance.

'I very much hope he is correct,' said Mr Fraser, who himself has made two unsuccessful trips to Belgrade to try to free the men. 'You don't know anything has happened in relation to Yugoslavia until it has in fact happened,' he said.

Mr Fraser also said it would be difficult for aid agencies to assist with the rebuilding of Yugoslavia while three innocent humanitarian workers remained in custody.

It appeared likely that Mr Downer would meet his Yugoslav counterpart, Mr Zivadin Jovanovic, and possibly President Slobodan Milosevic.

Mr Downer was in Washington when he decided to go on to Belgrade to press Canberra's case for the release of the men who were given lengthy jail sentences by a Belgrade military court nearly three weeks ago after being convicted of revealing information about Yugoslavia's security situation. They have been in custody since 31 March when they were arrested at a border post

on their way from Yugoslavia to Croatia. Mr Downer was tight-lipped about the CARE workers when he spoke to reporters in Washington. 'My mission is to get them out and, therefore, too much public talk can be damaging,' he said.

The Foreign Affairs spokesman said the decision to go to Belgrade followed Mr Downer's telephone conversation with Mr Jovanovic on 4 June and follow-up discussions by Australia's ambassador to Belgrade, Mr Chris Lamb.

'It flows directly from that,' he said. 'We have also continued our diplomatic efforts, including those of our special envoy, Mr Malcolm Fraser.' Australia has mounted an intense diplomatic campaign to free the men. The UN Secretary-General, Mr Kofi Annan, this week wrote to Mr Jovanovic urging their release. A strong indication that the men might be freed came a week ago when the Yugoslav authorities relaxed the conditions under which they were being held, allowing them to phone their families and to share a cell after weeks of solitary confinement.

Mr Fraser was unsure whether Mr Pratt and Mr Wallace would come straight back to Australia if released. But he said it was expected they will need counselling after their ordeal.

Appendix 25



Australia/Israel Review, May 1999

In Denial

At the mid-April meeting of the Adelaide City Council, a debate took place on when and how the name 'Adelaide' could be used by organisations and corporations. This extraordinary discussion was prompted by the arrest in Germany of one of this city's more notable and less noteworthy residents, Fredrick Toben.

Toben's Adelaide Institute has the astonishingly high profile in the dark galaxy of international anti-Semitism, having found the Internet a useful megaphone for the broadcast of anti-Jewish defamations, insults, caricatures and libels.

Since the time of his arrest, many words have been spoken and uttered concerning Toben, his Institute and what lies ahead of him. From much of what we have read, seen and heard in Australia since his arrest, it appears his record is not so well-known to a number of working journalists in Australia.

Depending on your perspective, I am either fortunate or unfortunate enough to be a complainant in a case against Toben and his private 'Institute', currently awaiting a decision by the Human Rights and Equal Opportunity Commission, under the Racial Hatred Act. The elected representative organisation of the Australian Jewish community, the Executive Council of Australian Jewry, submitted the complaint three years ago, concerning a range of anti-Semitic matter on the Adelaide Institute website, which supplements Toben's printed newsletters, which were earlier entitled 'Truth Mission'. During the long three years of legal processes, many pieces of paper have been exchanged and much time expended, unlike the German situation where laws are in place which recognise the seriousness of Nazi apologia to that society.

The Adelaide Institute is not an association of historians or scholars or even, by any rational description, a 'think tank'. It is simply and totally a private vehicle through which Toben gains a letterhead under which to publish and re-print a wide ranging collection of anti-Jewish slurs. For all intents and purposes, and by his own admission, Toben is personally responsible for all and any acts of the Institute.

Despite some of the more wide-eyes reportage, Fredrick Toben does not describe himself as an expert authority in any area of history.

To the contrary, he has written: 'I am not an historian and I have massive knowledge gaps and so I approach the 'holocaust' topic from my field which is philosophy'.

The only real 'philosophy' discernible on the Adelaide Institute website is a philosophy of anti-Semitism. Although Toben and his apologists claim that they are mis-identified as Holocaust deniers, in a number of places on the site Toben and others assert 'No Holocaust!', on the basis of one or other allegation they make concerning the accepted historical record. The context of the Holocaust denial is not history but the charge of Jewish conspiracy and other unethical, immoral and criminal Jewish behaviour, including responsibility for the outrages of the Bolshevik tyrannies.

The Institute's print and electronic newsletter brings together the obsessions, thoughts and concerns of a number of internationally disreputable Jew bashers, as well as allowing Toben and his mates to have a platform. 'History' doesn't enter the equation.

The usual suspects have been out in force trying to garner sympathy for Toben. His Adelaide Institute 'associate', David Brockschmidt, made the extraordinary claim that there is nothing anti-Semitic about Toben's work, perhaps relying on the laziness of the public who only need to go to the website to find the evidence.

John Bennett, perhaps hoping that enough journalists were unfamiliar of the history of the founding of his insignificant little club, the Australian Civil Liberties Union, perhaps confusing it with a mainstream civil liberties organisation, emerged as a 'legal adviser' for the incarcerated propagandist.

Englishman David Irving, Canadian Ernst Zundel and others immediately took up the case, with One Nation webmaster Scott Balson providing those visiting his website with direct lifts of Adelaide Institute material, not balanced by a word of intelligent commentary.

As mentioned earlier, Fredrick Toben describes himself as a philosopher. According to Penny DeBelle in the *Sydney Morning Herald*, his current contribution to Australian society is through one day's employment during the whole of 1998 as a temporary relief teacher, with not even that much work this year. His major contributions to international anti-Semitism during the same period has been the broadcast of offensive and insulting anti-Jewish material on his website and his hosting, in August last year, of a 'seminar' focusing on the promotion of distortions of history, which brought together many of the most notorious purveyors of anti-Jewish prejudice on this planet.

Toben himself has provided ample testimony that claims by his supporters, that he could be in any way unaware of the likelihood of his arrest in Germany, are totally disingenuous. Not only has he published a great deal of material in which he has expressed his

objection to the German law, designed to stop the rehabilitation of the most evil regime the world has ever known, but he published a 'Travel Diary' prior to leaving for Germany which opens with the sentence from the *Wimmera Mail-Times*, 'Controversial Goroke identity Dr Fredrick Toben flies to Europe today to challenge the German ban on denying the Nazi genocide of Jews'.

The last item on the 'Travel Diary' of 21 March 1999 was 'Next missive from Germany ... wish me luck'. The active promotion of racism has the effect of diminishing the quality of life of members of the target group and of creating social divisions to supplement personal guilt. If Fredrick Toben is 'unlucky' in Germany, it will only be because he has received a fair trial.

Jeremy Jones

*

Free Speech And The Internet

The new lobbies that are developing around the Internet view it as a form of community, one with freedom of expression, open borders, and unfettered commerce. Censorship or regulation of this new community is opposed at all costs.

From the business community the rallying cry is against the effect government regulation can have on the growth of e-commerce (a term that refers to the sale and purchase of goods through the Internet - electronic catalogue shopping to be more accurate). Regulate us, they cry, and you will destroy Australia's future economic growth.

Academia challenges the right of government to regulate the debate of ideas. Retard that, they claim, and you retard the growth of knowledge.

Civil libertarians have no cyber-specific argument, only that people should be able to say whatever they like.

Thus the arrest of Australian Holocaust denier Fredrick Toben in Germany a couple of weeks ago has set the cat amongst the pigeons again. All the interest groups are out defending him. Terry O'Gorman from the Council of Civil Liberties and the Electronic Frontiers Foundation have joined the anti-Semites and Holocaust deniers in defending Toben. This is a man who claims that there were no gas chambers in Auschwitz, the Holocaust didn't happen, and through his work seeks to sanitise and reform the historical record of one of the most bloodthirsty and criminal regimes the world has ever known.

While the government is pushing through legislation to ban pornography on the Internet, they are doing little about the spread of hatred. Pornography sites are policed, require proof of age to gain entrance, and don't seek to cause hatred or violence against any group (although many would argue that they are offensive, especially to women - but I would still argue not in the same way

as hate sites). Websites that thread racism and anti-Semitism are a growing and highly pernicious form of modern day terror. They defame the dead, and reach out to any unwary or poorly informed person on the Internet.

The Internet is not some magical new form of community. It is simply another form of communication and publishing. Toben published a series of documents that deliberately distort and deny facts, and dispute the fact of the Holocaust. He published it throughout the world, including Germany. Thus the crime was committed and when he entered Germany, with full knowledge of his actions, he was arrested. Now justice will take its course.

Professor Adam Indikt

Appendix 26



Correspondence, 15 July 1999

To Lila McIntosh from the Department of Foreign Affairs and Trade,
Canberra:

Dear Miss McIntosh

Thank you for your letter of 24 June 1999 to the Minister for Foreign Affairs about the matter of Dr Toben's detention in Germany. Mr Downer has asked me to reply on his behalf.

We have been providing consular assistance to Dr Toben of a kind that is available to any Australian who is detained in a foreign country, and we will continue to do so while Dr Toben seeks such assistance.

Our consular interests in such cases include monitoring the well-being of an Australian in custody, advising on legal representation, and doing whatever we can to ensure that the person is being treated fairly and without discrimination.

I am unable to comment on German law or the charges brought against Dr Toben as those matters are more properly the domain of the German authorities and Dr Toben's legal representatives.

I hope that this background is of interest.

Yours sincerely

Robert Whitty
Director, Consular Operations

Appendix 27



An unpublished letter to *The Adelaide Review*, 16 July 1999

A friend sent me the May and June issue of *Adelaide Review* – what a delight to have me stimulated in such a familiar way. My four cream-coloured cell walls disintegrated and I thought I was back in Adelaide ... for a while at least.

Of special interest to me was David Bowman's 'The great dumbing-down' (June), referring to Alexander Downer's speech at the Colonel Light Ceremony.

I can't believe it – I want to know: did the following really spring from our foreign minister's mind:

- culture of lively educated debate
- discussion of new ideas and concepts
- development of intellectual frameworks
- extremism –rational thought – due process?

For those not too interested in theoretical considerations only, Professor Cliff Walsh rightly augments Downer's intellectual thrustings by asking for pragmatic effects – will it do any good to speak up?

This needs to be supplemented by another important factor – the search for truth, though perhaps the minister did refer to it in his speech. Truth-telling or truth-seeking is a moral virtue upon which our whole culture rests. Without it, we'll have lies and deceit bringing another unenlightened period of human history, the proverbial dumbing-down of society.

The first step of such mental enslavement has been taken: The intellectually dishonest ethnic and racist human rights-driven aim of establishing a mental dictatorship, a politically-correct Australia.

Anyone valuing individual freedom, will vigorously oppose such dictatorship because it has terrible legal implications. In Germany, for example, lawyers can be fined or imprisoned if they vigorously defend their clients in court. Two years ago, my lawyer defended a person against that odious Section 130 of German law 'Volksverhetzung' – the equivalent of our obnoxious and legally questionable Human Rights Racial Hatred legislation.

From Bock's submission in court, the public prosecutor extracted quotes and phrases that allegedly offended against that rubbery

paragraph. He was found guilty, and the matter is now subject of an appeal. Anything introduced as evidence, according to that paragraph's own logic, provides further proof of the accused's guilt – just like in the 17th century witches' trials. The mere fact that an accused dares to prove his innocence – it is not a matter of the prosecution proving his guilt – confirms he is a recalcitrant, an 'Unverbesserlicher'.

In such trials, there is no objectivity test, and concrete evidence is simply ruled as inadmissible. Can you imagine that ever happening in Australia? You bet! If proponents of the Racial Hatred Act have their way, any legal impartiality will be thrown out the window and replaced by an ideological dictatorship. The forerunner of this mindset is the 'politically correctness' movement, that cannot tolerate another point-of-view. Under the guise of feigned offence, it stifles healthy and vigorous debate on contentious issues – the hallmark of a strong democracy.

Downer's words will seem like fairy-floss when these ruthless 'caring' individuals are at the levers of legal power. The mere act of appealing against a decision will be interpreted as an insult. In Germany, it is called 'Beamtenbeleidigung', insulting of public servants, and actionable.

Ironically, a handful of courageous judges and public prosecutors could break the cycle of injustice that such thinking generates – but most have family and career to think of before they dare break out of their own conceptual prison.

Perhaps public apathy will be re-invigorated through the mind-liberating influence of the 'democratic' Internet, that is, unless Minister Richard Alston dictates otherwise.

Fredrick Toben,
JVA – Cell 1313,
Mannheim Prison,
PO Box 103254,
D-68032 Mannheim,
Germany.

Appendix 28



The response of the International Secretariat of Amnesty International, 20 July 1999

Dear Mr Bennett

I thank you for your enquiry of 10 July 1999 regarding Dr Gerald Fredrick Toben. As you are no doubt aware Dr Gerald Fredrick Toben is the director of an association in Australia called the Adelaide Institute which propagates its views via the Internet. The main focus of the Adelaide Institute is the Holocaust. Through its website the Adelaide Institute purports to refute the historical accuracy of estimates that put the number of Jews who died in Nazi concentration camps at six million. The following excerpt from the homepage of the Adelaide Institute exemplifies its position of this issue:

'We are a group of individuals who are looking at the Jewish-Nazi Holocaust, in particular we are investigating the allegation that Germans systematically killed six million Jews, four million alone at Auschwitz concentration camp...In the meantime we have noted the original four million Auschwitz death figure has been reduced by Jean Claude Pressac to a maximum of 800,000. This in itself is good news because it means that around 3.2 million people never died at Auschwitz - a cause for celebration'.

I regret to inform you that Amnesty International will not be adopting him as a prisoner of conscience. Amnesty International defines prisoners of conscience as people detained for their political, religious or other conscientiously held beliefs or because of their ethnic origin, sex, colour, language, national or social origin, economic status, birth or other status - who have not used or advocated violence. With respect to this definition, in 1995 the organization decided at a meeting of its International Council - the highest decision-making body of Amnesty International - that it would exclude from prisoner of conscience status not only people who have used or advocated violence, but also people who are imprisoned 'for having advocated national, racial or religious hatred that constitutes incitement or discrimination, hostility or violence'. The decision codified Amnesty International's intention to exclude from prisoner of conscience status those who advocate the denial of the Holocaust and it confirmed what had in fact been *de facto* interpretation of the prisoner of conscience definition contained in Article 1 of Amnesty International's Statute.

There is compelling evidence that Dr Gerald Fredrick Toben through the Adelaide Institute's website has been advocating, at times euphemistically, at times crudely, that the Holocaust is a myth. As a result, Amnesty International regards his activities as characterized by a clear intent to publicly advocate the denial of the Holocaust. For example, on the first day of the tour, commenting on the ban of the British revisionist David Irving from entering Australia, Dr Gerald Fredrick Toben wrote in his travel log: 'What was Irving's crime? He merely told a German audience that the alleged gas chamber shown to tourists at Auschwitz is a fraud - which is true. So, truth-telling is a criminal offence in Germany!' In another instance, a media release from 12 April 1999 commented on Toben's European tour and subsequent arrest stated that 'Dr Toben has shown great moral courage in challenging the official Holocaust dogma ...' On the Adelaide Institute's homepage a number of similar statements can be found. The posting of material on a website which can be viewed by millions of individuals is as much an act of advocacy as is handing out leaflets, circulating a petition or publishing a book.

In making its decision to exclude certain individuals from the prisoner of conscience status in 1995 the International Council further decided that Amnesty International should abide by international standards and in particular Article 20 (2) of the International Covenant on Civil and Political Rights which states 'Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law'.

Amnesty International seeks to promote the world-wide observance of all human rights as enshrined in the Universal Declaration of Human Rights and as such the organization does not support any group or person engaging in activities aimed at diminishing the rights and freedoms of others. The decision of Amnesty International not to adopt Dr Gerald Fredrick Toben as a prisoner of conscience is consistent with, and inherently derives, from this position.

I hope I have clarified the position of Amnesty International to Dr Gerald Fredrick Toben and our reasons for not adopting him as a prisoner of conscience.

Yours sincerely

Matthew Pringle
Researcher
Central Europe/Western CIS

Appendix 29



Correspondence, 23 August 1999

Andreas Röhler's complaint against the Mannheim court's decision not to allow him to become part of the defence counsel team:

Conflict of interest between judge and justice?

The decision of the Landgericht Mannheim (Mannheim Supreme Court) is unfounded and the kind of reasoning is a matter of concern for the prejudice it exhibits. It is submitted to reject the decision and to grant participation at the proceedings according §138 II of the German Order of Penal Court Procedures (StPO = Straf Prozess Ordnung: setting down and following procedures, technical arguments etc). This is also the desire of the accused Dr Töben.

The Supreme Court refers to informations of the Berlin Police without comment and identifies itself with these without verification. These informations are almost totally false, untruthful and were made in contradiction to the laws.

Certainly this type of information would be unconstitutional, as everybody has the right to be considered innocent unless proven guilty by a court of justice. I have always rejected any claims that my publishing house is right extremist. The contents of the published journals under my personal responsibility shows our attachment to human rights wherever they are threatened.

The court endorses the claim of the prosecution, activities on the Internet as reason for the rejection. It is a matter of concern, that both, prosecutor and court, seem to believe that any participation on the Internet must be a criminal one. This gains credibility as the prosecutor in his arrest warrant has avoided stating a criminal offence. It must therefore be concluded that the alleged criminal offence exists in any Internet activity as such.

In the letter of rejection it becomes obvious, that the court under Chief Judge Kern apparently despises the work of the press and sees it next to a misdemeanour. Kern/Folkert/Krebs-Dürr quote Berlin police authorities who - whatever the reason - allege, I am a co-editor of *Sleipnir* magazine.

To be a co-editor of publications is, however, no punishable offence and actually not a matter of business for the police anyway. Any edition of printed material is here apparently seen in connection with criminal action, and such bias is endorsed by the Supreme

Court. The anxiety of prejudice is here compounded, as Dr Töben has been incarcerated because of an alleged press-content offence.

The anxiety of prejudice is further warranted by the reason, stated in the letter of rejection. It accepts the arguments of the prosecution, which point to two letters written to the Jewish community at Mannheim. Again it is not stated, what of this letter - there is only one letter out of my pen to the Jewish community of Mannheim - is obnoxious; thus bias and unjustified rejection of my person must be assumed.

Here is the contents of the letter in question:

Berlin, 30 June 1999

Dear Members of the Jewish Community Mannheim,

I request your understanding that I turn to you in a matter which is not your direct concern.

I refer the incarceration of the Australian philosopher, historian and writer Dr. Frederick Töben at Mannheim. According to a press release by the state prosecutor of 9 April 1999 he has been charged to have disseminated 'by Internet anti-Semitic and neo-Nazi propaganda'. To my knowledge this is completely untrue. Attached please find various press reports in regard to the matter. Dr Töben works in a controversial field commonly known as 'revisionism'.

I have explained in a letter to the judge and state prosecutor, that no dishonourable and improper motive should be suspected at their part. It is out of question, that Dr Töben occasionally did one or another step a bit too hastily, too enthusiastic for my taste, that it did not correspond to the situation and the political environment.

The accusation is, nevertheless, in my opinion a serious and dangerous infringement by the German authorities. My plea and inquiry is thus: Would a member of your community be willing to visit Dr Töben in prison to have a talk with him, to convince yourself of the groundlessness of the charges against him? From my own knowledge about his person and character I can assure you he would be very happy about such a visit. If you require further information about Dr Töben please let me know.

Yours sincerely,

A. Röhler

In the opinion of the Supreme Court it is apparently not permissible, to write a letter to the Jewish community of Mannheim. This emphasises the claim of prejudice, as Dr Töben repeatedly has written to Jewish institutions and authors and apparently a criminal offence is derived out of such letter writing.

Reason for complaint as well as anxiety of prejudice and the necessity to appeal the court's decision of rejection is the claim, there is a 'conflict

of interest' between my work as a representative of the press and my obligations to the defence. The opposite is true. My experience as press representative would mean a necessary supplement for the efforts of the defence; the rejection, however, hinders the defence of the accused in an unacceptable manner, both professionally and, of course, press orientated.

The court endeavours to justify its claim 'collision of interest' by stating that I have requested a copy of the prosecution paper. What is despicable about the knowledge of a prosecution paper? When the court considers information about the accusation as illegal, it only exposes its contempt for the press and thus the accused. Such contempt is an impediment to any fair trial.

For this reason the composition of the bench seems to be unsuitable for an unbiased hearing and especially Judge Kern should be disallowed to sit on the forthcoming trial.

*

Original German version: Berlin, den 23. August 1999 vorab per Fax

Beschwerde

Gegen den Beschluß des Landgerichts Mannheim vom 9.8.1999, zugestellt am 16.8.1999, wird Beschwerde erhoben.

Zulässigkeit der Beschwerde: Kleinknecht/Meyer-Goßner StPO §138 Rn 23: Gegen die Versagung oder Zurücknahme der Genehmigung nach II, auch durch das erkennende Gericht (§305 S. 1 steht nicht entgegen) können der Beschuldigte und der zum Verteidiger Gewählte Beschwerde einlegen.

Der Beschluß des Landgerichts Mannheim unter VRiLG Kern ist unbegründet. Es wird daher beantragt, den Beschluß aufzuheben und die Teilnahme am Verfahren entspr. §138 II StPO zu gewähren, wie es auch der Wunsch des Beschuldigten ist.

Das Landgericht gibt in seiner Begründung angebliche Auskünfte der Berliner Polizei unkommentiert wieder, bzw. macht sich diese zu eigen. Diese Auskünfte sind weitestgehend inhaltlich falsch und wurden rechtswidrig erteilt. Diese Art der Auskunftserteilung verstößt gegen die Verfassung, nach der jedermann als unschuldig zu gelten hat, solange er nicht rechtskräftig verurteilt ist. Ich bin Falschbehauptungen, der von mir betriebene Verlag sei rechtsextrem ausgerichtet, stets entgegengetreten und auch der Inhalt der von mir verantworteten Publikationen steht dem entgegen.

Indem das Gericht den Verweis der Staatsanwaltschaft auf inhaltliche Internetaktivitäten als Ablehnungsgrund übernimmt, entsteht die begründete Sorge, daß das Gericht offenbar ebenso wie die Staatsanwaltschaft eine jede Betätigung im Internet bereits für strafbar hält. Dies gilt vor allem vor dem Hintergrund, daß die Staatsanwaltschaft es mit den von ihr beantragten Haftbefehlen unterlassen hat, eine Straftat zu bezeichnen und somit der Schluß sich

aufdrängt, daß die behauptete Strafbarkeit bereits in der Tätigkeit im Internet als solcher bestehen solle.

Deutlich wird aus dem Ablehnungsschreiben auch, daß das Gericht unter VRiLG Kern offenbar die Tätigkeit der Presse geringschätzt und diese bereits als solche in die Nähe einer Straftat rückt. Kern/Folkerts/Krebs-Dürr zitieren angeblich Berliner Polizeibehörden, welche – aus welchen Gründen auch immer – zu der Erkenntnis kamen, ich sei Mitherausgeber der Druckschrift „Sleipnir“. Mitherausgeber von Druckschriften zu sein, ist aber nicht strafbar und geht die Polizei als solches nichts an. Hier soll offenbar die bloße Herausgeberschaft in die Nähe von Straftaten gerückt werden, und das Landgericht schließt sich dem an. Daß Dr. Töben gerade wegen eines angeblichen Presseinhaltsdeliktes inhaftiert ist, führt in diesem Zusammenhang zu Besorgnis.

Die Besorgnis besteht auch, da das Gericht in der Begründung seiner Ablehnung die Argumente der Staatsanwaltschaft aufgreift, die auf den Inhalt angeblicher zweier Briefe an die Jüdische Gemeinde in Mannheim verweist. Grund zur Beschwerde ist gegeben, da auch hier nicht mitgeteilt wird, worin das Anstößige in meinem Schreiben – es gibt nur einen an die Jüdische Gemeinde in Mannheim gerichteten Brief aus meiner Feder – bestünde, so daß von einer ungerechtfertigten Ablehnung meiner Person ausgegangen werden muß. Am 30. Juni 1999 schrieb ich an die Jüdische Gemeinde Mannheim:

Sehr geehrte Mitglieder der Jüdischen Gemeinde Mannheim, ich bitte Sie um Verständnis, daß ich mich an Sie in einer Angelegenheit mit der Bitte um Unterstützung wende, die Sie nicht unmittelbar berührt. Es geht um die Inhaftierung des australischen Philosophen, Historikers und Schriftstellers Dr. Frederick Töben in Mannheim.

Einer Pressemitteilung der Staatsanwaltschaft vom 9. 4. 1999 zufolge wird ihm vorgeworfen, er habe „per Internet antisemitisches und neonazistisches Gedankengut“ verbreitet. Dieser Vorwurf ist, nach allem was ich weiß, grob unwahr. Im folgenden sende ich Ihnen verschiedene Pressemitteilungen zu diese Problematik.

Dr. Töben arbeitet zu einem umstrittenen, weithin als „Revisionismus“ bekanntgewordenen Gebiet. Ich habe bereits in einem Schreiben an den verantwortlichen Richter und Staatsanwalt ausgeführt, daß keineswegs unehrenhafte und unredliche Motive bei dieser Inhaftierung vermutet werden müssen. Auch steht außer Frage, daß Dr. Töben den einen oder anderen Schritt, die eine oder andere Äußerung getan, die nach meinem Geschmack allzu spontan, leidenschaftlich und sowohl der Situation, wie auch seiner persönlichen geistigen und charakterlichen Voraussetzungen als nicht angemessen erscheint. Diese Inhaftierung gleichwohl ist, soweit ich es sehe, ein schwerer und gefährlicher Übergriff seitens der Behörden.

Meine Bitte und Anfrage an Sie: Wäre ein Mitglied Ihrer Gemeinde in der Lage, Herrn Dr. Töben in der Haft zu besuchen und mit ihm ein Gespräch zu führen, so daß Sie sich mit eigenen Augen und Ohren von der Haltlosigkeit der Behauptungen überzeugen können? Ich darf Ihnen aus meiner Kenntnis seiner Person versichern, daß er über einen Besuchs seitens eines Ihrer Gemeindemitglieder sehr erfreut wäre.

Sollten Sie weitere Auskünfte benötigen, so stehe ich dafür nach Kräften zur Verfügung.

Mit freundlichen Grüßen

Offenbar hält das Gericht es für unzulässig, an die Jüdische Gemeinde zu schreiben. Das begründet weitere Besorgnis und läßt meine Beteiligung als geboten erscheinen, da sich auch Dr. Töben wiederholt an jüdische Institutionen und Autoren gewendet hatte und offenbar aus diesen Schreiben als solchen ein Straftatsbestand abgeleitet wird.

Grund zur Beschwerde, sowie zur Besorgnis und entsprechend zur Notwendigkeit der Aufhebung dieser Entscheidung gibt auch die Formulierung, es bestünde ein Interessenkonflikt zwischen meiner Tätigkeit als Pressevertreter und einem Eintreten für eine sachgerechte Verteidigung. Das Gegenteil ist der Fall: Meine Erfahrungen als Pressevertreter würden eine notwendige Ergänzung der Bemühungen der Verteidigung bedeuten; die Ablehnung den Angeklagten aber auf unzulässige Weise an sachgerechter und notwendig auch Pressespezifika umfassender Verteidigung hindern.

Das Gericht hat versucht, der Behauptung von der angeblichen Interessenkollision Glaubwürdigkeit zu verschaffen, indem es darauf verweist, daß ich mich bereits um Übersendung einer Kopie der Anklageschrift bemüht habe. Was ist an der Kenntnisnahme einer Anklageschrift verwerflich? Indem das Gericht dieses Bemühen, mich auch als Pressevertreter über den Tatvorwurf zu informieren, für illegitim hält, offenbart es seine Geringschätzung der Presse und damit auch des Angeklagten. Eine solche Geringschätzung aber ist einem fairen Verfahren hinderlich.

Die mit den Ablehnungsgründen getroffene Feststellung, der Antragsteller habe auf eine Aufforderung zur Stellungnahme nicht reagiert, ist insoweit erledigt, als der Antragsteller mit Schreiben vom 12. August 1999 darauf verwiesen hatte, daß er wegen einer vorübergehenden Abwesenheit nicht innerhalb der gesetzten Frist hatte antworten können.

Die am 12. August 1999 übermittelte Argumentation hätte im übrigen als Gegenvorstellung gewertet werden und die vorliegende Beschwerde überflüssig machen können, da u.a. für den Fall der Zulassung eine Zurückhaltung gegenüber der Öffentlichkeit in Aussicht gestellt wurde.

Andreas Röhler

Appendix 30



The Sydney Morning Herald, 13 September 1999

Dear Sirs

In connection with the arrest of Dr Fredrick Toben in Germany, George Ryba of Sydney authored an article (5 May) reporting that at the Nuremberg trials he gave evidence of mass exterminations at Auschwitz, and that his “testimony withstood long and forceful cross-examination” by defence lawyers.

As the author of the book, *Hoax of the Twentieth Century*, that denies that such exterminations took place there, I was interested in Ryba’s testimony. My reaction was delayed by the end of the academic year at Northwestern University, where I teach electrical engineering, by my summer vacation, and by delays in getting a copy of Ryba’s testimony.

I contacted Ryba by telephone in August. He told me that his name then was Jerzy Bielski, and thus I was able to find the testimony he gave in 1947 at the trial of concentration camps chief Oswald Pohl (he told me that the testimony he gave at the trial of Ernst Kaltenbrunner was in closed session).

The letters column of a daily newspaper is not the place to thrash out historical issues, so I will confine my comments to only one point. There was indeed long cross examination of Bielski by the defense lawyers, but their questions had to do only with his identification of defendants. In proceeding thus, the lawyers were only doing what, in their view, they were hired to do.

It never occurred to these lawyers to probe Bielski on things that, for us, cry out for elaboration. For example, Bielski testified that “we could always speak with the people who were going to be gassed”. No lawyer asked Bielski the obvious question: did he tell these Jews what was supposedly going to happen to them? Nor were there any other questions aimed at elaborating this amazing scenario.

There exists an inescapable handicap when trying to draw historical inferences from trials of individuals: the people running such affairs are not , and are not supposed to be, interested in history.

Very truly yours,

Arthur R Butz
Evanston, Illinois

* * *

The Ryba article was published by *The Sydney Morning Herald* on 5 May 1999:

Auschwitz: truth too painful to believe. Try telling concentration camp survivors that Hitler didn't exist.

Fredrick Toben, a German-born Australian, now waits in Germany facing charges under that country's laws that he defamed the memory of the Holocaust dead.

As Gerard Henderson wrote last week (Opinion, April 27), Toben deliberately went to Germany to challenge the laws prohibiting denial of Nazi crimes against humanity. Toben's vituperation is especially directed against the Poles, whom he accuses of lying, saying that they themselves built the gas chambers at Auschwitz after the war to attract tourists to Poland. He denies the chambers' existence.

For a memorable 3½ years, I was a Polish political prisoner in Auschwitz. Beginning in October 1941, we prisoners were put to work building new Camp No 2 (Birkenau) to accommodate more than 200,000 new prisoners. As a construction electrician, I worked installing electrical power in four gas chambers and the adjacent crematoria. Later, during gassing, wire's and cables were often ripped off by victims gasping for air and writhing in the agony of asphyxiation. We had to repair such damage when the still convulsive bodies were being lifted up for cremation.

Dozens of my Jewish friends in the camp died by gassing. Seven of my close non-Jewish friends (five Poles, one Slovene and one Corsican), unable to carry out heavy work when weakened by typhus and malaria, were thrown naked in winter frost, one on top of another, like sardines, screaming onto a truck, 80 to a load, for the 15-minute journey to the gas chamber. In the aftermath of the German defeat at Stalingrad, from the middle of 1943, the Nazis restricted gassing to Jews and Gypsies and still managed to exterminate 1.5 million people before the Red Army liberated Auschwitz in 1945.

I was still there till about three weeks before liberation, when the SS demolition squad were blasting away anything indicative of what had been going on in Auschwitz for nearly five years.

All this I described in painful detail while giving evidence against Himmler's deputies, Kaltenbrunner and Pohl, and eight SS leaders during the first two main trials of war criminals at Nuremberg in 1945-6. My testimony withstood long and forceful cross-examination by dozens of the best German lawyers defending the Nazi elite.

In spite of this, I do not oppose Mr Toben. I, too, oppose the German law, but for different reasons. It is useless. In my view it is a very human characteristic to believe what one wants to believe. The experience of others, rationality, logic and information are so

often irrelevant to what people believe. There is no such thing as facts, only interpretations, said Nietzsche.

Only 50 years after Napoleon's death two professors of the Sorbonne published a work denying his existence. Some of us will later treat Hitler perhaps as a mythical figure in his times as figments of someone's imagination. No prohibition will eliminate irrationality. What will prevent some people believing that Auschwitz was really a rest and recuperation camp?

George Ryba, a Sydney resident, is a survivor of Auschwitz and was a leader in the camp's underground resistance.

* * *

Telephone call by Professor Butz to George Ryba, 9 August 1999:

I spoke to Ryba 7.25–7.40 p.m. (10.30 a.m. his time). He says his name when he gave testimony against Kaltenbrunner and Pohl was Jerzy Bielski or Jerzy Bielecki. His testimony against Kaltenbrunner was in closed session because there was a fear that the "Werewolf" organisation would assassinate witnesses. As far as he knows it was never published. I confirmed that I have found his earlier name in the list of witnesses in Case 4. He says he was arrested later by the Americans for refusing to testify in the Krupp case. I told him I was a friend of Fred Töben, and that I was particularly interested to read of aggressive cross-examination by defence lawyers. I told him that if I find his testimony in the Kaltenbrunner case I would let him know where.

* * *

Telephone call by Professor Butz to George Ryba, 11 August 1999:

I spoke to Ryba 7.27–7.58 p.m. I asked him for his date of birth and registration number tattooed on his arm, telling him only that there may have been two people with his name. At first I did not explain that my main problem was (1) in his Pohl trial testimony Jerzy Bielski said he was born in April 1914 and had registration number 66423 and (2) the *Auschwitz Chronicle* says (p. 668) that Jerzy Bielecki, born 28 March 1921, arrived at Auschwitz 14 July 1940 and escaped 21 July 1944. I did not mention that the trial testimony was that he was transferred to Sachsenhausen in November 1944.

Ryba replied that he was born Jerzy Bielski on 14 April 1921. He had a police registration number 19808 for a while after his arrest in 1941, but received registration number 66423 when he later arrived at Auschwitz. Bielecki (pronounced by-el-ET-sky) was another person, involved in the resistance, whom he knew. The name Jerzy Bielski does not come up very often because he was with the Jan Mosdorf (Polish fascist) political faction in the resistance. The major resistance group involved Polish army officers who had the support of London. The communists had the support of the Soviets. Nobody outside supported Mosdorf. After

the war he was a political orphan, since he was to some extent a leader of the Mosdorf faction after Mosdorf's execution in 1943 and thus suspected of being a fascist (he wasn't). He visited the Auschwitz museum once and Kazimierz Smolén told him that his name was not to be found in the museum records that Smolén admitted were incomplete. However the ITS has his file.

Ryba's recollection is that all of his testimony on gas chambers was in the unpublished Kaltenbrunner proceedings, and that gas chambers did not come up in his Pohl testimony (that is not true, but I chose not to correct him at the time).

Ryba says he never testified to mass murder (that doesn't appear to be true). Neither he nor anybody else saw anybody gassed; they weren't allowed near enough to look through the 'windows'. However on occasion he 'entered when bodies were still around'.

He hopes I don't attack him personally and he wants Fred Töben freed. He said none of Töben's friends has spoken with him. He says, 'I don't believe in history'.

* * *

Dear Mr Ryba

I was grateful for our two telephone conversations last month. After that I found your testimony as Jerzy Bielski in the Pohl case and very recently sent you a copy under separate cover. You have probably received it.

I will probably write one letter to *The Sydney Morning Herald* about it but I don't have much time to spend on this matter because I have a heavy teaching schedule in electrical engineering at Northwestern University and a new academic year will start shortly.

I also sent a copy of your testimony to my French friend Dr Robert Faurisson, a specialist in internal criticism of documents. I do not know whether or not he will have time to study it.

My views on these matters are represented by my book *The Hoax of the Twentieth Century* which, I assume, you can get from Fredrick Töben's Adelaide Institute (PO Box 3300; Norwood 5067). I also have a relevant web site: <http://pubweb.nwu.edu/~abutz>.

More than 50 years have passed since you gave your testimony. I do not expect that today you could reliably reply to the many questions that, in my opinion, your testimony begs. However your article published in *The Sydney Morning Herald* on 5 May has made your testimony a contemporary problem.

Best regards

A R Butz

Copy: R Faurisson

Appendix 31



Internet, 5 October 1999

Forum

Dr. Toben: Should Australia pressure Germany for his release?

Page 1/1 of selected contributions from the readers of PublicDebate.

Toben knew

Posted: November 15, 1999

By: Wilf

Toben is an idiot. He knew what the law was in Germany, went there and broke it on purpose. He is nothing but a Nazi apologist.

*

Holocaust Agnostic

Posted: November 13, 1999

By: Gweilo

I suppose that I would call myself a Holocaust Agnostic, as I doubt that I'll ever know the truth about the gas chambers.

The recent propaganda from the war in Kosovo shows how easily the truth can be distorted, and the side that wins the war gets to write the history books.

However, even if Toben is 100% wrong, and the Jews 100% right, I still don't believe that anyone should be persecuted for having an unpopular opinion.

Like most lobby groups, I suspect that the Jews and the whole Holocaust industry have exaggerated their case to some degree. The motivation is obvious given the recent financial extortion from the Swiss and now the German corporate sector.

*

Preposterous

Posted: November 13, 1999

By: Antonia Feitz

Germany's laws are preposterous. No reasonable person could possibly justify making doubt a crime, especially when the evidence is overwhelming that governments lie. Just look at the recent conflict in the Balkans. In any case, as I understand it, Toben does not deny that many Jews were imprisoned and died. He disputes the existence of gas chambers. Surely that should be provable by historical research. To say otherwise is to land us back in the middle ages.

*

Vote results page

Should Australia pressure Germany for Dr Toben's release?

Yes: 68.75%

No: 31.25%

Not sure: 0%

Don't care: 0%

Return to the issue

*

Controversial speakers

Should we stop some of them from entering Australia?

The freedom to express unpopular views is accepted as a basic right in Australia, but so too does our law protect minorities from hate-mongering and vilification. Clearly the two principles can clash, and finding the right balance is an important issue for any country.

From time to time Australian immigration officials have been instructed by our politicians to withhold visas and thereby prevent the entry into Australia of visitors whose aim in coming here was to promulgate certain unpopular views.

Perhaps the most well publicised case has been the refusal by the Federal Government to allow 'revisionist' historian David Irving into Australia. It was felt that Irving's controversial views on the holocaust could stir up neo-nazi sentiment and racial hatred. For a long time Sinn Fein leader Gerry Adams was also refused a visa.

The fact that other controversial figures such as Nation of Islam leader Louis Farrakhan have been allowed to enter Australia illustrates the difficulty of maintaining consistency in such a policy.

Is the Government right to take such a stand in some cases, or is it best to allow all voices to be heard?

Salman Rushdie: Does he deserve his current predicament? (297)

Revisionist historians: Should they be silenced? (177)

Dr. Toben: Should Australia pressure Germany for his release? (211)

This issue was first published on August 19, 1999. It is currently ranked 229. Its last ranking was 168.

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Revisionist historians

Should they be silenced?

This complex question is raised by Dennis Stevenson in an Internet article dated September 29th 1999. He uses the well known case of David Irving, who has been refused a visa to visit Australia as an example of what he calls the 'persecution of the holocaust questioners'.

Stevenson begins his article by making a case for Irving's scholarly credentials, something that many people have been unwilling to accept.

"His books are found in almost every library in the world. Irving has written more than thirty volumes on the Second World War published by a half dozen of the most prominent publishers in the Western World, including: The Viking Press, Harper & Row, Little, Brown, Simon & Schuster, and Avon Books.

The most respected historians in the world, including A.J.P. Taylor, Trevor Roper, Gordon Craig, and Stephen Ambrose have praised his works. He has researched in the German State Archives for more than thirty years, as well as in the U.S. National Archives, the British Public Records Office, the government archives of Australia, France, Italy and Canada, and even the former Soviet Secret State Archives. He was the first historian to challenge the validity of the widely heralded (and later debunked) Hitler Diaries. In the course of his wide ranging research, Irving has uncovered many documents that challenge parts of the Holocaust orthodoxy."

Stevenson then chronicles a number of Irving's findings and then lists the actions taken by various organisations and governments against him.

Towards the end of the article Stevenson makes some points that do have a certain resonance.

"In Canada, at the request of the Simon Wiesenthal Center, the authorities seized, shackled, and deported him from the country in handcuffs. The Toronto Globe & Mail asked why he had been handcuffed and then answered its own question, Did someone think he might use his typewriter?"

And later, "There are those who say that we should not debate aspects of the Holocaust any more than we should debate those who say the world is flat. Yet, would any knowledgeable person be afraid to debate an advocate of the flat Earth theory? Would he urge the passage of laws to prevent the advocate of that theory from speaking, writing or publishing? Would he try to have his livelihood destroyed, have him fined thousands of dollars, and if that did not work, cast him into prison?"

And to finish, "What "historical fact" is so weak that it must be protected by terror, by jail, and deportation? What do the opponents of David Irving and the other revisionists fear? Are the revisionist arguments so convincing that their opponents must use naked political oppression to silence them?"

By quoting selectively from Stevenson's article for space reasons we may have inadvertently detracted from its impact, but the argument he is making seems clear enough. Posters are reminded that this is an extremely sensitive issue, with many families and individuals still experiencing pain associated with the holocaust, and Publicdebate understands and respects that some people feel that this topic should not even be raised.

Appendices

Dr. Toben: Should Australia pressure Germany for his release? (211)
Controversial speakers: Should we stop some of them from
entering Australia? (229)

This issue was first published on October 05, 1999. It is currently
ranked 177. Its last ranking was 33.

Appendix 32



The five allegations submitted to court, 8 November 1999

Extracted from the Adelaide Institute's website: for most of the colour pictures which accompanied this document see pages 353–64.

The First Allegation

1. All About Adelaide Institute

We are a group of individuals who are looking at the Jewish-Nazi Holocaust, in particular we are investigating the allegation that Germans systematically killed six million Jews, four million alone at the Auschwitz concentration camp. In our investigations we refuse to be intimidated by anyone because we believe that the first step in any murder investigation is to forensically test the alleged murder weapon. In the Auschwitz murder case, certain individuals wish to prevent us from focusing upon such an investigation.

The latest version of how the Germans gassed millions of Jews at Auschwitz is propagated by Professor Deborah Lipstadt of Emory University in the U.S.A. who claims that mortuaries were converted into homicidal gas chambers. Proof of this is apparently found in so-called "conversion plans". We have requested of Professor Lipstadt and of the Holocaust Museum, Washington, to provide us with copies of such conversion plans. We are still waiting for them to provide us with these plans.

In the meantime we have noted the original four million Auschwitz death figure has been reduced by Jean Claude Pressac to a maximum of 800,000. This in itself is good news because it means that around 3.2 million people never died at Auschwitz - a cause for celebration.

We are worried about the fact that to date it has been impossible to reconstruct a homicidal gas chamber. Even the Holocaust Museum in Washington informed us that it could not bring one across from Europe because there are none available. This is like a space museum without a rocket or the Vatican without a Crucifix. We are justifiably sceptical about the homicidal gas chamber claims.

We reject outright that a questioning of the alleged homicidal gas chamber story constitutes "hate talk", is "anti-Semitic", "racist" or even "neo-Nazi" activity.

The director of the Adelaide Institute, Dr Fredrick Töben, puts it thus:

If I offend anybody because I show poor taste in my sometime blunt and honest questioning, then I apologise. However, if I offend because I am politically incorrect by asking uncomfortable questions, then I claim it as my right, under the free speech principle, to say these things.

We at the Adelaide Institute also focus on the Jewish-Bolshevik Holocaust, a matter which Australian author Helen Demidenko-Darville has raised in her book *The Hand That Signed The Paper*. The controversy generated by this novel still continues.

Adelaide Institute associate, Mr David Brockschmidt, sums up the essence of Demidenko-Darville's 'crime' in writing this book:

The merit of Helen Demidenko-Darville's novel—and hidden agenda of the anti-Demidenko affair—is that she has revealed a basic historical fact, viz, that Lenin's henchman, Trotsky (Bronstein) and Stalin's henchman, Kaganovich, were Jewish mass murderers. This historical fact clearly shows that Jews are not always victims in history, but also murderers. Australia's mass media has failed to publicise this important fact. Why?

David Brockschmidt displays his parents' medal received from the West German government for saving Jews during World War II. The Brockschmidt family was also honoured by the Israeli Government and a tree in their memory has been planted in the Avenue of the Righteous Gentiles, Jerusalem, Israel.

David's father was also instrumental in providing Oskar Schindler with the trucks which transported the Schindler Jews from Poland to Czechoslovakia. Steven Spielberg, who knew the vital role Brockschmidt played in this operation failed to give credit to David's father. Why?

These two historical issues—the Jewish-Bolshevik Holocaust and the Nazi-Jewish Holocaust—are worthy subjects for an intellectual enquiry. We are aware of the fact that to venture forth in to such an enquiry can be dangerous. Professor Robert Faurisson (France), Mr David Irving (England), Dr Wilhelm [Stäglich], Professor Udo Walendy, Messrs [Günter] Deckert, Germar Rudolf, Mr Thies Christopherson, Pastor Manfred Junger (Germany), Mr Ditlieb Felderer (Sweden), Mr Hans Schmidt (U.S.A.), and Mr Ernst [Zündel] (Canada) are people who have suffered physically, mentally and materially as a result of their search for truth in history. The enemies of freedom of speech will use physical and legal violence - persecution through prosecution - to stifle debate on these contentious historical issues. There is a tremendous pressure placed on people who dare touch these taboo subjects. All too often the first thing that snaps is the family unit, followed by professional and social ostracism.

So, be warned - this final intellectual journey is not for the faint-hearted. If you dare to seek the truth, in particular about the alleged

homicidal gassings, then you will be smeared, libelled and defamed by those who are intellectual midgets but materialistic giants.

If you are mentally strong enough to seek the truth of the matter, then force an open debate. Don't get side tracked by details and always refocus on the basics. Too many individuals drown in a sea of particulars.

People who claim that during World War II, the Germans gassed millions of Jews are levelling three allegations at the Germans:

1. They planned the construction of huge chemical slaughter houses;
2. They constructed these huge chemical slaughterhouses during the middle of WWII; and
3. They used these huge slaughterhouses to exterminate millions of Jews.

Any normal person familiar with bureaucratic red tape will now ask: What proof is there to back up these claims? Firstly, where are the plans of this enterprise? Secondly, where is the budget needed to finance the massive enterprise? Finally, it is inconceivable that such a massive undertaking would get past first base without an executive order. To date, we have been led to believe that 'a wink and a nudge' began the alleged extermination project.

We at Adelaide Institute believe that those who level the homicidal gassing allegations at the Germans owe it to the world to come up with irrefutable evidence that this happened.

Instead, these defamers and libellers of the Germans use legal means to stifle debate on the topic. They claim that anyone who asks questions is engaging in 'hate-talk', is 'anti-Semitic' is a 'racist', even a 'neo-Nazi'.

If that doesn't work, then physical violence is used to silence those who want to know the truth.

So, come on board if you have the courage to look for truth. We naturally maintain that should—after fifty years—proof of the homicidal gassings be forthcoming, we shall gladly publicise this as well. To date, there has been no proof offered to the world. Robert Faurisson sums it up well; "No holes, no Holocaust!"

We are not 'holocaust deniers'. We proudly proclaim that to date there is no evidence that millions of people were killed in homicidal gas chambers. That is good news all round. Why would anyone find this offensive? We are celebrating the living who were thought dead. How can this be an offence - unless it offends those who have their snout in the trough which Jewish academic, Dr Frank Knopfelmacher called, "the Holocaust racket".

If there is to be a mission statement from Adelaide Institute, then it is best summed up in a letter which appeared in *The Australian* on

22nd February, 1996. Written by John Buchner of Camden of NSW, nine days before the 2nd March federal election:

OPEN SEASON ON GERMANS

Phillip Adams referred in a recent column of *Review*, 13th - 14th January 1996, to a number of foreign situations, which are dealt with in a jocular fashion, but he refers to the German people in a contemporary sense as "Nazi swine". Many people from a German background have settled in Australia and made a significant contribution to it, including serving in its armed forces against the Nazi regime. Their memory is vilified by Mr Adams' reference. During my school years here, I endured continual vilification because of my German origins and countless "Hitler Salutes". However, my complaint to you is not motivated by a chip on the shoulder because of these events. Like most Australians, I can take it and abhor the treatment other national groups have received. My concern is that there seems to be a perpetual open season on all Germans, as though all Germans must forever bear the guilt and shame of the Nazi regime. I can bear references to "Nazi Swine", albeit without amusement. But what of my children? Are my children to be forever classed "Nazi Swine" in this country?

John Buchner, Camden, NSW

Interestingly, a climate of political correctness pervaded the run-up period to the 2nd of March federal elections, with Liberal and National candidates coming in for some sharp rebukes from their Labor colleagues over publicly-made alleged racist statements. For example, there was Bob Katter who lashed out at "enviro-Nazis", "femi-Nazis" and "slant-eyed ideologues". Only the latter statement created an uproar. The "Nazi" word has been used by a number of politicians from all parties because it still has a sting to it. After all, everything done by the Germans prior to and after World War II is eclipsed by what is alleged to have happened at Auschwitz concentration camp. The argument is always "from Mozart, Beethoven and Wagner to the homicidal gas chambers at Auschwitz". That's the card pulled out by anyone who is faced with competition from a German-born Australian or Australian of German descent.

It is from this basis that we take it as our right to challenge the taboo topic's veracity - did the Germans operate homicidal gas chambers at Auschwitz? It is too cheap for us to decry our work as that of "hate-mongers", "anti-Semites", "racists" or "neo-Nazis". Let us repeat; we are not deniers of the Jewish-Nazi Holocaust. We affirm that to date there is no proof that millions of people were gassed by Germans in homicidal gas chambers. Dare you join us in this continuing intellectual adventure of the 21st Century?

*

The Second Allegation

IMAGES OF AUSCHWITZ

Swimming Pool - for inmates' use. Auschwitz also had a brothel, theatre, post office - even an orchestra. A stupid story is told by some 'survivors' how the orchestra would play as the people were whipped into the gas chambers!

Then there was the camp hospital where a Dr Rosensaft saved many Jewish women. Why save lives when this was a death camp? It just doesn't make sense.

Railway track at Auschwitz-Birkenau, laid mid-year 1944. Before that the people had to walk 3 Km from the Oswiecim township railway station to Birkenau.

Here at the siding the so-called 'selection' was made: to the left into the gas chamber and to the right to slave labour.

None of these assertions have been substantiated by any kind of facts or documentation other than questionable witness statements which often were 'the creation of a feverish mind set on getting a pension from the German government.

Gates to Auschwitz-Birkenau

Danish Year 10 students visiting Auschwitz I: some were interested but most were not. This particular talkative guide could not answer the question asked of him by the accompanying teacher: "What kinds of experiments did Dr Mengele conduct on the twins?"

Answer: "We don't know because the Germans destroyed all the records."

Like many of the atrocity stories about Auschwitz, a deeper probing finds that there is no factual evidence to support them, and any further questioning is regarded as an antisemitic, anti-Jewish, racist, neo-Nazi attack.

Images of Krema I

Door inside the alleged gas chamber - made of wood. Such construction simply would not work in real life - only in the minds of those who created the story of the gas chamber.

Hole in the roof of Krema I. It is now admitted that this is all fraudulent work.

From: *Auschwitz 1270 To The Present*, by Deborah Dwork & Robert Jan van Pelt. W. W. Norton, New York, 1996, pp. 363-4

There have been additions to the camp the Russians found in 1945 as well as deletions, and the suppression of the prisoner reception site is matched by the reconstruction of crematorium I just outside the northeast perimeter of the present museum camp. With its chimney and its gas chamber, the crematorium functions as the solemn

conclusion for tours through the camp. Visitors are not told that the crematorium they see is largely a post-war reconstruction.

When Auschwitz was transformed into a museum after the war, the decision was taken to concentrate the history of the whole complex into one of its component parts. The infamous crematoria where the mass murders had taken place lay in ruins in Birkenau, two miles away. The committee felt that a crematorium was required at the end of the memorial journey, and crematorium I was reconstructed to speak for the history of the incinerators at Birkenau. This program of usurpation was rather detailed. A chimney, the ultimate symbol of Birkenau, was re-created; four hatched openings in the roof, as if for pouring Zyklon B into the gas chamber below, were installed, and two of the three furnaces were rebuilt using original parts. There are no signs to explain these restitutions, they were not marked at the time, and the guides remain silent about it when they take visitors through this building that is presumed by the tourist to be the place *where it happened*.

Images of Krema II

Hole in roof of Krema II. According to the model of the gas chamber displayed at Auschwitz and at the US Holocaust Memorial Museum, there are supposed to be four square holes in the roof through which SS guards inserted the Zyklon-B gas.

Professor Robert Faurisson's words are so appropriate here: "No Holes, No 'Holocaust'".

What we found at Krema II is two crudely cut holes which would have had the German responsible for making the holes, shot for shoddy work.

Images of Krema III

Solid pillar of Krema III - that is all which remains of this crematorium site.

*

The Third Allegation

More images of Auschwitz

Auschwitz I - Stammlager

The entrance to Auschwitz-Stammlager (base camp) with its famous inscription: Arbeit macht frei - work liberates.

The gallows where 50 years to the day (16 April 1947 of this photograph being taken in 1997), Commandant Rudolf Hoss was hanged for a crime he did not commit.

To the left of the gallows, the alleged entrance to the homicidal gas chamber. This was the entrance to the air raid shelter. When the

building was fraudulently turned into a 'gas chamber', this entrance should have been removed.

The door to the alleged gas chamber with the obligatory 'peep-hole' in the door through which you can see just another wall.

Inside the alleged gas chamber - shown to millions of tourists and sold to them as an original gas chamber. Now authors Robert Jan van Pelt and Deborah Dwork in the book *Auschwitz: From 1270 To The Present* (published in 1996) claim that it is a mere 'symbolic' representation of the gas chambers at Auschwitz-Birkenau (quoted below).

From: *Auschwitz 1270 To The Present*, by Deborah Dwork & Robert Jan van Pelt. W. W. Norton, New York, 1996, pp. 363-4

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Auschwitz II - Birkenau

The caved in roof of Krematorium II at Auschwitz-Birkenau, destroyed by the Soviet Army. The story has it that the Germans blew up the building to hide their 'crime' but failed to destroy the architectural plans of the building. Professor Gerald Fleming falsely claims that the plans prove the gas chamber story to be a fact.

Dr. Toben enters the 'gas chamber' through one of the two holes which have been crudely cut into the concrete roof.

The pillars are not 'porous' and the ceiling does not show any of the four holes through which allegedly the Zyklon-B gas was thrown.

This plaque replaced the 19 plaques whereon until 1990 it was stated that 4 million persons had been killed at Auschwitz. No-one has yet explained how it is possible simply to reduce a death figure from four million to one and half million.

These words were inscribed on the 19 plaques until 1990. Even the Pope blessed this plaque in 1979. The words were removed after Soviet Union President Gorbachev released in 1989 the Auschwitz Death Books which until then, it was thought the Germans had destroyed while evacuating Auschwitz.

Question: On what authority and on what facts is the current death number based? What happened to those who were thought dead (4 million) and are now alive? [4M - 1.5M = 2.5M].

The Gas Chamber Model

This model is found at the Auschwitz Museum and in the US Holocaust Memorial Museum.

Professor R. Faurisson's comparison of two gas chamber doors. The image on the left is a gas chamber door from an execution chamber in Baltimore in the United States. The image on the right is the alleged gas chamber door from Krema I in Auschwitz. One is a steel door, with secure locking mechanisms and hermitically sealed, while the alleged door from Krema I is similar to a door found in any house.

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The Fourth Allegation

Open Letter to Frau Richter in Clapiér-Krespach, Judge at Amtsgericht Bruchsal, Germany: Tel.: 7251-740

6 October 1998

Dear Judge Clapiér-Krespach

Further to my telephone call to you today concerning your judgement in the Günter Anton Deckert case: la Ds 57 Js 24484/97-67/98, I would like to state the following:

You claim that you cannot say anything about your judgement - "Ich darf nichts sagen" - because the case is now going to appeal before the Landgericht Karlsruhe.

This is interesting for me because in another case in Germany, Mr Udo Walendy's case before the Landgericht Bielefeld, Justice Lützenkirchen advised me that he did not have to justify his judgement to anyone. He did, however, say to me that he had been to Auschwitz and had seen the 'proof'!

I am now confused about German law and how German judges handle historical matters covered by the term 'Holocaust', and I

would like to know whether truth is a defence in any legal action before you. I would also like to have this legal issue clarified because next year I intend to visit Germany with the specific purpose of exploring further what Messrs Deckert and Walendy have raised in their writings.

You say you are not allowed to say anything about your judgement - and owing to the nature of your judgement, I asked you whether we could generalise about the matter without mentioning the case. You refused to continue the conversation and referred me to a Mr Kleinheinz of the Landgericht Karlsruhe; Tel.: 721- 9266070. Unfortunately this person is on holiday and so I could not pursue my enquiry any further.

Let me therefore put my concerns to you in writing. It seems to me that your reasoning is faulty because the freedom to think, speak and research the specifics of the so-called Holocaust needs to be exercised in open forum. This is especially so if persons make statements in public about what happened at Auschwitz during 1943-45.

Hence it is only a natural reaction for someone interested in this topic - Deckert is - to put questions to those who claim to have been there during the war. In March 1997 a Mr Max Mannheimer, who alleges he survived Auschwitz, gave a talk to a group of students at Realschule der Ursulinen, Landshut. This was reported in the local paper.

Mr Deckert obtained a copy of this report and from his prison cell in Bruchsal wrote Mr Mannheimer a letter wherein he asked him quite specific questions about the claims Mannheimer made to the school students at Landshut.

This action of asking Mannheimer questions is supposed to have upset him so that he initiated legal action against Deckert. This in itself is an absurdity. Does Mr Mannheimer not realize that anyone who makes public statements - which he alleges are founded on historical facts, on truth - is liable to be met with challenges, especially on a contentious historical matter such as the allegation that Germans systematically exterminated European Jewry in homicidal gas chambers at Auschwitz?

You have now given Mr Mannheimer comfort - to continue unchallenged to tell his lies - and Mr Deckert another three months in prison for having insulted Mr Mannheimer for asking questions.

This is an outrage because what you are doing is permitting Mr Mannheimer to tell the most outrageous lies about Auschwitz to young impressionable minds, without penalty. And you are penalising Mr Deckert because in your view he should not be asking questions. Do you not realize that this is what makes us human: the power to ask questions, to think and speak freely? Your judgement is destroying Mr Deckert's human qualities. This is a

grave inhuman act - all because a Mr Mannheimer keeps on telling lies about Auschwitz!

Where is the great German intellectual spirit that celebrates: Die Gedanken sind frei?

You are therefore encouraging the telling of lies to a younger generation of Germans. As truth-telling is a moral virtue, I conclude that your judgement is immoral and that you and your colleagues who continue to support those who tell lies about the Auschwitz concentration camp are immoral in your behaviour. In view of what is currently happening in the United States of America where the President is a certain liar, do you not think it is time for the German judiciary to become moral again in matters that challenge the current Auschwitz orthodoxy?

I visited Auschwitz in April 1997 and I have from my own research now concluded that the camp never had any homicidal gas chambers operating there during the war years. I also conclude that anyone who claims that homicidal gas chambers operated there is either ignorant of the facts or is lying.

I would appreciate a response from you on this matter, in particular as regards my proposed trip to Germany next year - and my discussing these matters with you and your colleagues. I would also appreciate you advising me, in writing, whether truth is a defence in this matter.

For your information I refer you to an article in Der Spiegel, 40/1998, at p.230-35, Die Erfundene Hölle, which details the most recent fraudulent Auschwitz claim made by an alleged Auschwitz survivor in Switzerland. Please consider any further Auschwitz matters before you in this light.

Sincerely,

Dr Fredrick Toben, Director

Copy to:

Mr Kleinheinz, Landgericht Karlsruhe

Justice Dr Lützenkirchen, Landgericht Bielefeld

Mr Heiko Klein, Oberstaatsanwalt, Karlsruhe

Mr Udo Walendy

Mr Günter Deckert

Adelaide Institute website

Sleipnir

The Barnes Review

Deutschland in Geschichte und Gegenwart

UN

David Irving's Action Report

National Journal

Vierteljahreshefte für freie Geschichtsforschung

The Journal of Historical Review

CODOH

GANPAC Brief

Free Speech Monitor

Mr Michael Hoffman

Mr John Ball
Radio Islam
Dr Serge Thion
Dr Joel Hayward
Prof. A Butz
Prof R Faurisson
Ernst Zündel.

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The Fifth Allegation

January 1999 No. 86

Fredrick Töben's 1999 New Year Reflections

In this the first month of the penultimate year before the Millennium, we can look back on five year's work and state with certainty: Germans never exterminated European Jewry in homicidal gas chambers at Auschwitz concentration camp or elsewhere. Hence all Germans, and those of German descent, can dispense with that imposed guilt complex which has kept them enslaved to an evil mind-set for half a century.

Germans can, again, feel proud of their cultural achievements throughout the ages. A recent book: *1000 Years, 1000 People: Ranking the Men and Women Who Shaped the Millennium*, by Barbara and Brent Bowers, Agnes Hooper Gottlieb and Henry Gottlieb, places German inventor of the printing press, Johannes Gutenberg (1394-1468) in first place. Number 20 is Adolf Hitler (1889-1945) who is characterised as the "villain of the millennium". We know, of course, that Stalin was a far greater villain than Hitler ever was! The authors' bias is therefore evident here, in favour of international socialism as opposed to national socialism.

So, although Germans can breathe easy now, they will have to brace themselves for some more German-bashing because the likes of Jeremy Jones from Australia's organised Jewry 'cannot change their spots' overnight. They have been on a good wicket with this Auschwitz club, wielding it at anyone who does not agree with their politics so as "to stop them from functioning", to quote Jones.

Appendix 33



Fredrick Töben's letter to Jamie McCarthy, 1996

To: jamie@voyager.net
From: fredrick toben <fredadin@adam.com.au>
Subject: Open Letter to Mr Jamie MCCarthy; Open Letter to World Jewry; Open Letter to Public Prosecutors, States of Israel and Poland
Cc: ihrgreg@kaiwan.com
brsmith@valley.net.com
ezundel@cts.com
kmcvay@nizkor.almanac.bc.cs, hostrov@universe.com

Dear Mr McCarthy

Thank you for your 8 June communication which I found very interesting. Isn't it amazing that fifty years after the event there are still issues which are alive and far from settled - and that we can actually participate in a Holocaust debate. How wrong people like Professor Deborah Lipstadt are when they claim that "there is nothing to debate about the Holocaust". Only recently I remarked about the Kuwaiti claim, made during 1990 before Desert Storm was unleashed, that Iraqi soldiers had perpetrated unspeakable acts of violence upon helpless victims in a Kuwaiti hospital - throwing babies out of incubators and taking the incubators to Iraq. It is now common knowledge that an American advertising agency schooled the daughter of an US-based Kuwaiti diplomat to say such things before the US Congress. Luckily for the sake of historical truth, the incubator story was soon exposed for what it was - war-time propaganda. Yet, it served its purpose, namely to draw the USA into the Gulf conflict.

So, too, it is with the horror stories about Nazis having made soap out of Jewish cadaver and lampshades out of Jewish skin. Yet I wonder why this kind of war-time propaganda has persisted for so long. Why does the media not vigorously expose such stories for what they are? Even to this day I can think of a number of people who still believe the war-time soap and lampshade propaganda to be based on facts.

It is only if we can fearlessly ask questions about the alleged Jewish-Nazi Holocaust, then we will get to the truth-content of those allegations which state that Germans gassed millions of people in homicidal gas chambers.

Only a few days ago I received information about a court case in Tübingen, Germany, involving the publisher, Wigbert Grabert, and author/publisher Udo Walendy. I believe that Walendy has

received a prison sentence while Grabert has escaped that fate with a DM30,000 fine.

What was their crime? It appears that they doubt the orthodox homicidal gassing story - and that is a criminal offence in Germany. Also, in the latest 'Historische Tatsachen' Walendy questions the long-held belief that all Auschwitz prisoners had numbers tattooed on their arms, forearms, wrists, etc. He claims there is no proof of this ever having been done. Imagine, if this is true, then how many people do we personally know who have spent fifty years of their lives trading on that tattooed number on their forearm! I passed this information on to John Sack (Eye for an Eye) who is now pursuing this matter. I am certainly interested to find out whether Walendy is making wild claims. However, I do not think it is wise to use legal means wherewith to silence anyone making silly claims, and I would not like any government or private authority stop me from looking into such matters. Anyone who makes wild claims about something as controversial as has Walendy will soon be exposed as either being a fabricator or a truth seeker. Would you agree with me, Mr McCarthy?

You see, Mr McCarthy, it does not make sense to me that the German government authorities are persecuting through prosecution these people who dare ask questions about incidents and events of World War II. That's exactly what we are doing here per our Email service engaged in an exchange of views and opinions, yet in Germany we would be subject to judicial surveillance. Mind you, Mr McCarthy, you have an advantage over me. What you say is already legally protected because you have accepted the view that homicidal gassings did occur at Auschwitz and elsewhere. I am not so convinced - as yet. Please let me explain why I still have a nagging doubt about the so-called official version of what happened during the second world war at Auschwitz.

1. The fact that doubters are not convinced of the homicidal gassing story produces a violent reaction from Jewish-Zionist pressure groups - and from the various government agencies whose parliaments have passed laws outlawing doubt on the topic. For example, in Canada it was the 'false news' law which Sabina Citron used to start the Zundel Trials. In Germany it was initially a provision of the defamation law which saw the absurd situation arising where Dr Wilhelm Staglich, Gunter Deckert, Pastor Manfred Junger, et al, were accused of "defaming the memory of the dead". Usually any defamation action is extinguished upon the death of the plaintiff who begins an action. Not so when the defamation law was used in Germany. We then saw people coming out of the woodworks who claimed to be speaking on behalf of the dead.

Naturally they did this in the hope of being handsomely rewarded for their expressed concerns. Financially it was worth millions of dollars. Now, of course, in Germany it is not necessary to rely on defamation [laws] anymore. This anomaly has been rectified in Germany and elsewhere with the introduction of specific 'Holocaust denial' legislation. In Australia we have the Zionist lobby working very hard on getting such legislation passed through

the various state and federal parliaments. It's done under the guise of the 'Racial Vilification/Hatred Bill'.

To my mind defamation law exists to protect a person's reputation from wrongful accusations. Unfortunately not all jurisdictions accept that truth is an absolute defence against defamation. Public figures, however, claim they are deserving of extra protection - which is a nonsense claim. We saw this kind of nonsense reach its height with the doings of British publisher, Robert Maxwell, who silenced his critics by throwing writs at them. So, if you do not have the financial clout, then you are out! But in the long run the truth will come out because it is too much of an effort to have to support, by legal means, those processes which are corrupt. Yet, now in Europe various governments have made it a criminal offence to doubt matters concerning the allegation that Germans gassed millions of people. Why should we, Mr McCarthy, have a view of history supported by the force of a law? Isn't this exactly what the Marxist ideologues did in eastern Europe and in the former Soviet Union? Imagine, to have a special law which states that 'Holocaust denial' is off-limits, is a criminal offence? If someone denied that the earth was round, we would just laugh at that person's display of ignorance. Yet, when someone like 30+year-old German industrial chemist Germar Rudolf writes 'The Rudolf Report' - which is a detailed scientific analysis of the alleged homicidal gas chambers at Auschwitz - then he has his career ruined and, together with wife and two young children, is now on the run. A court had imposed on him a 15-month prison sentence for distributing his report, and as he failed to turn up at the Grabert trial in Tübingen, there is now an arrest warrant out for him. All this does not make sense to me, Mr McCarthy. Why would the German legal establishment use a sledge hammer to protect at all costs an orthodox version of the Auschwitz homicidal gassing story? This is an historical debate which can be settled if we are mature enough to listen to what others have to say. I have a firm belief about this story - that there were no gassings at Auschwitz. However, should after fifty years by some miracle new evidence come along and conclusively prove that homicidal gassings did occur at Auschwitz, then I would write about that too. But let's not have people muzzled because they dare to become HOLOCAUST HERETICS.

Let me say in passing that my training in philosophy - Sir Karl Popper's theory falsification and C.S. Peirce's fallibilism - prevents me from accepting anything controversial as being true without my having done some personal thinking and research about the matter. So, Mr McCarthy, let me put your mind at rest about my intellectual integrity. After all, this is what you are alluding to when you ask me in your 8 June communication: "Is your questioning really honest, Dr Toben?" Yes, indeed it is. But not only, Mr McCarthy. I am also fearless in my questioning. Mr Brockschmidt and I have deliberately sought out those who support the homicidal gas chamber story. It was a little disconcerting to be rejected by those who could not answer our probing questions. In

1994 Professor Deborah Lipstadt visited Australia. We made the special effort to make the 1,600 Km Adelaide-Melbourne return trip so that we could ask her probing questions. She even signed her book for us with "May Truth Prevail"! It was during her seminar that she informed us that the conversion plans for the Auschwitz mortuaries were now available. Similarly, British historian, David Irving, and American author, Michael Collins-Piper, also confronted Lipstadt about those plans. Why, if the plans prove the homicidal gassing story, did Lipstadt not take up Irving's offer of \$1,000 to produce those plans? It is not good enough for Lipstadt to travel the world and claim that the conversion plans prove the homicidal gas chamber story without having with her these plans - and discussing them in the way you now wish to do. More of this a little later.

2. The Jewish death figures are a real problem and your criticism of what we have on our website highlights this problem very well. Permit me to give you a chronology, from 1996 backwards to 1964, wherein I detail my personal connection with the 6:4 million death figure as it presented itself in the public domain. I hasten to add that what you say is quite correct, i.e. the 6:4 million death figure can be argued about. Greg Raven of the IHR informs that it was once claimed that of the six million Jewish deaths, two million were in the Eastern territories and four million were in the concentration camps. Even the 1990 removal of the plaques claiming that four million persons died at Auschwitz has not definitively solved the problem. Blaming the former Soviet and Polish Communist governments, as you do in your explanation, is a total cop-out by those who have known for decades that the four million figure was wrong from the beginning. There are Revisionist works which mention a far lower number. I think Rassinere mentions a very low number - but such numbers were ignored by so-called mainstream historians. Why, Mr McCarthy? Even the six million total Jewish deaths figure is urgently in need of revision. Yet for some historians this number is set in concrete and anyone who dares question it is immediately labelled 'antisemitic', a hate-monger', a neo-Nazi, a racist, etc. Why, Mr McCarthy? I am reminded of the entry under 'Oswiecim' in the Reader's Digest 'Universal Dictionary' of 1988: "Town of southern Poland....it lies near the site of the Auschwitz-Birkenau extermination camp, where, between 1942 and 1945, some 4,000,000 people, mostly German and east European Jews, were systematically put to death by the Nazis."

Permit me now to tabulate my Personal Chronology:

* 1996 - as recently as 7-9 June in ADELAIDE , at the so-called conservative Samuel Griffith Society seminar, during a dinner conversation the 6:4 million death figure was mentioned. Much to the disbelief at our table, of five of the eight persons present, I stated that the current death figures for Auschwitz stood around 710,000 to 800,000 (Pressac).

* 1995 - At a European history conference at the University of New South Wales, SYDNEY, Dr Stephen Wheatcroft reduced the Auschwitz death figures to 1.5 million - much to Professor Hans Mommsen's disbelief. Wheatcroft claims to be Australia's expert on the Ukraine. He denies the Bolshevik-Jewish-Soviet connection which gave rise to the Ukrainian famine. See Adelaide Institute newsletter No. 30.

* 1994 - at the Professor Deborah Lipstadt seminar in MELBOURNE I canvassed a few individuals about the 6:4 million figure. It would have been foolish to have pursued the matter among this group because they were all 'true believers'. It was at this meeting that Professor Lipstadt predicted that a force from within the Jewish community would lead to dissent and disunity on the Holocaust. See Adelaide Institute newsletter No. 20.

* 1993 - on a visit to WELLINGTON and CHRISTCHURCH, New Zealand, I met a cross-section of New Zealanders who generally held to the 6:4 figure. Any depth of knowledge on this topic managed to focus on the fact that the death figures referred to Jewish deaths. No-one I came across had heard of Franciszek Piper's 1993 published book 'Die Zahl der Opfer von Auschwitz', published by the Auschwitz Museum in Poland. Therein we find a figure of 1.1 million total deaths at Auschwitz. What bothers me with these figures is that Piper claims that 200,000 of the total deaths were registered, while the remainder was unregistered. When I pointed this out to Dr Wheatcroft, he claimed that the Germans immediately herded the unregistered into the homicidal gas chambers. That is why there were so many unregistered deaths, [of] which to this day there is no trace! This is pure nonsense because nearly a million people do not just disappear into thin air - unless they never existed in the first place. Only on Friday 21 June I saw a TV item about the Belorussian government uncovering a mass grave from World War II in which the victims had been shot in the neck - the typical Soviet Union style of execution. I'm awaiting confirmation of this news item because I could not find any mention of it on our other four TV channels, nor did I find anything in the newspapers. Perhaps you know something about it. If it is a genuine news item, then we can again say that we can go to the Auschwitz site and find the evidence of mass killings and burnings by excavating the whole complex, etc. Such reasoning leads me to believe that the Piper methodology used to arrive at the death figure for Auschwitz is unsound. I cannot accept such methodological approach in reaching a 900 000 death figure because it is possible to look at physical evidence rather than rely on mere speculation.

Further, at the conference no-one had heard of 'The Rudolf Report' wherein its author, Germar Rudolf, claims that the homicidal gassings were a physical and technical impossibility. I actually find this a little hard to believe that the experts in the field are not aware of what Revisionists are doing to push the Auschwitz argument further along. If they are not aware of what Revisionists are doing,

then they are incompetent; if they remain silent about them, then these historians are corrupt.

Also at a MELBOURNE seminar, at which Professor Yehuda Bauer was guest speaker, the 6:4 million figure was still about . In fact, some persons claimed that it was a $6 + 4 = 10$ million Jewish deaths figure. One participant, who invited me to his home for tea, claimed that he easily escaped from Germany to Switzerland where he qualified as an architect. His qualifications were accepted by the Victorian Education Department for whom he worked until his retirement.

During 1993 Professor Bauer also made an interesting public comment about the 'Wannsee Conference'. For him it is "a silly story that at Wannsee the extermination of Jews was arrived at." So, Mr McCarthy, isn't it a fact that for too long people have read into documents what wasn't really there at the beginning?

* 1992 - on a visit to Parliament House, CANBERRA, A.C.T. I was struck by the solid belief in the 6:4 million figure. This in spite of the fact that all parliamentarians received from John Bennett, Australian Civil Liberties Union, a copy of 'The Leuchter Report'. We may be disturbed by Leuchter's claims about being an engineer, Mr McCarthy, but that is of secondary importance. The fact is that he was the first person to physically do something about verifying or falsifying claims made about the Auschwitz homicidal gas chambers. I could not understand the frenzy with which his critics lashed out at him - hounding him in Germany because of what he said.

But that's the problem, isn't it. He said some pretty startling things. For example, he claimed that "All things considered, killing six million persons by means of gassing would have taken 68 [years]", and "If the [matter] were in fact as claimed, then executions would still have to be taking place today, and would have to continue until the year 2006". If Leuchter's claims are outrageous, then he discredits himself, and so his claim that "The poison substance Zyklon-B was not used on people at Auschwitz", need not be feared, i.e. if it is false.

Canberra is also the only city in Australia with a legal pornography video industry. The other Canberra vice is that its youths have a high drug addiction rate.

1991

1990

1989 - during a visit to LAUNCESTON, HOBART, and PORT ARTHUR Hobart, Tasmania, the usual response from tourists and from locals was the 6:4 million death figure. As far as I could ascertain, the figure referred to Jewish deaths alone. It was obvious to most persons I met that the second world war had been fought by Hitler to 'specially kill the Jews'. Why did the media not correct this distorted picture? It is a perversion of historical fact to represent the second world war as an exclusively antisemitic, and anti-jewish war - the elimination of European Jewry. I see such

claims as being a perversion of historical facts. What has to be borne in mind is that the Nazis and Zionists collaborated in establishing the State of Israel. This explains why the Zionists and the Nazis collaborated so well on the task of moving European Jews into Palestine. Mr McCarthy, have you read Leni Brenner's book on this topic? It's called 'Zionism in the Age of the Dictators'.

During this year Professor Yehuda Bauer was again busy correcting the [Auschwitz] picture, claiming the four million figure was wrong. The Auschwitz death book registers, obtained from the former Soviet Union archives in Moscow, listed 74,000 deaths. None of this information has been pumped into ... the public domain as have the alleged atrocity stories. Why not? I am reminded that as late as 1994 Professor Lipstadt loudly proclaimed that there is nothing to debate about the Holocaust. Mr McCarthy, it is good to see that you have opened yourself to a debate - admittedly carrying the orthodox Holocaust line.

* 1988 - in BRISBANE, Queensland at the World Expo Fair, the 6:4 figure was alive and hotly defended by those who were enjoying the atmosphere in an 'all German' beer tent. I met one businessman who knew something about Zundel's second Holocaust trial. Mr John Bennett in MELBOURNE single-handedly had distributed copies of 'The Leuchter Report' to all Australian media outlets, libraries, politicians and prominent Australians.

* 1987 At Deakin University, WARRNAMBOOL, students and staff whom I randomly canvassed about the 6:4 million death figure, claimed it referred to Jewish deaths. At HORSHAM, Victoria, during British historian David Irving's visit, the 6:4 million figure was held to be true by most people present at the meeting. Irving's book 'Churchill's War' upset some persons who could not imagine that Churchill had a very dark side to his character.

* 1986 - in country Victoria during business trips, the 6:4 million death figure made vague sense to some. My general impression was that few people cared about the death figures. What was commonly held was that the Germans killed many Jews during World War II in homicidal gas chambers. However, the gas chamber and the crematory ovens were fused into the 'gas oven'. Pictures of crematory ovens were understood to be gas ovens. Generally, though, country living had its own problems without having to worry about an event that happened in Europe over forty years ago.

On the radio journalist and broadcaster, Mark [Aarons], began to crank up a waning interest in the war crimes concept by broadcasting a series of programs which dealt with Nazi atrocities committed in eastern Europe.

* 1985 - during a visit to LONDON I noticed business associates shied away from discussing the 6:4 million deaths figure. However, during a visit to one of the pubs the ensuing discussion did raise a vague 4 million death figure. No one had heard of Professor Raul Hilberg mentioning on 16 January, at the Zundel Trial, that there was no

blueprint nor a basic plan which accompanied the destruction of European Jewry.

* 1984 - in SINGAPORE and KUALA-LUMPUR, Malaysia, talking to all racial groups yielded no definitive figure for Jewish deaths. The first Zundel trial in TORONTO did not feature in any conversation.

* 1983 - during an English Language conference in CANBERRA, A.C.T., the 6:4 million deaths figure was alive. One person wished to eliminate the ratio and claim that 10 million Jews died in Europe during the second world war. Inevitably when, during seminar sessions, the death figures for Auschwitz were mentioned, it was assumed that the four million referred to four million Jewish deaths. I also opposed the view that because of Auschwitz literature had lost its meaning. The soap and lampshade stories were still accepted as founded on fact rather than on propaganda.

* 1982 - during a visit to AMSTERDAM and PARIS, the general conversation among locals and tourists was a strong belief in the 4 million deaths figure for Auschwitz. I heard people say quite specifically that this figure referred to Jewish deaths at Auschwitz.

* 1981 - At MINNA, Nigeria, among educated and traditional Nigerians, little interest was shown for the Jewish-Nazi Holocaust. Too many still remembered the Nigerian civil war and its legacy, namely that it did not stop the "bribery and tribaary and corruption at the top". Other Nigerians recalled how their forefathers were shipped to America by Jewish-owned slave trading ships.

* 1980 - during a visit to CAPE TOWN and JOHANNESBURG, South Africa, a lively discussion about the Jewish death figure was not unusual. At the universities I found both extreme views represented: under a million and over ten million Jewish deaths. It all depended whether you spoke to an [Afrikaans] or English-speaking person, and then it mattered whether the person was Jewish or not. At that time many Jews had still not left South Africa. There was a saying in Southern Africa at that time: "When the Jews leave, there is still time. When the Indians leave, it's too late."

* 1979 - at NAIROBIE and in Kenya generally, especially among German tourists, the 6:4 million deaths figure was a topic of conversation. In the markets the locals didn't care about Auschwitz. In June, Pope John Paul II had blessed the four million victims at AUSCHWITZ, and Dr Wilhelm Stäglich's book: THE AUSCHWITZ MYTH was published in Germany.

In France, Professor Robert Faurisson stated to LA MONDE: "The Hitler gas chambers never existed. The genocide of the Jews never took place. Hitler never gave an order or permission that [anyone] should be killed because of his race or religion. The alleged gas chambers and the alleged genocide are one and the same lie. This lie, which is largely of Zionist origin, has made possible an enormous political and financial fraud whose principal

beneficiary is the State of Israel.”

Now we know that both Faurisson and Stäglich have suffered terribly for daring to express their views about Auschwitz. It is not good enough for me to hear the excuse that because these HOLOCAUST HERETICS have offended the millions dead, they deserve to be persecuted. What is your view on this matter, Mr McCarthy?

* 1978 - at the University of Rhodesia, SALISBURY - now Harare, Zimbabwe - among staff and students the 6:4 million deaths figure floated about. It was alive among those students who had Jewish connections. Few, if any, non-white students had any interest in the topic. There were more serious matters to consider than worry about what happened in Europe during the second world war.

* 1977 - during a visit to WINDHOEK and SWAKOPMUND, South West Africa - now Namibia - I received from the Europeans (especially the tourists from Germany) a split response. There were those who believed the 6:4 million deaths figure referred to Jewish deaths only. Then there were a few characters who told me “the whole gas chamber story is rubbish”. These ‘characters’ had served in the German army during the war. Professor Arthur Butz’s *THE HOAX OF THE TWENTIETH CENTURY* was published but it received no mention in South West Africa among the people I met during my stay there.

* 1976 - during a visit to MADRID, BARCELONA, etc. the whole issue concerning Jewish deaths was not alive among the people I met. There was interest in hammering the nasty communists and lamenting Franco’s death.

* 1975 - at the University of STUTTGART, especially during faculty meetings (Geisteswissenschaften) a particular Dr Rothschild would strut about the room accusing all sorts of people for being Nazis or neo-Nazis. Faculty members usually cowered in silence while Rothschild ranted and raved in his attempt to “expose Nazis in academia”. Anyone who attempted to contradict him would quickly be silenced with the 6:4 million deaths figure. Perhaps Dr Rothschild was aware of the fact that Richard Harwood had just published his *DID SIX MILLION REALLY DIE?*

* 1974 - at the University of OXFORD the 6:4 million deaths figure was well entrenched among staff and students. It was considered bad taste to cast any doubt on the orthodox view that “millions and millions of Jews were gassed by the Germans during the second world war”.

* 1973 - at CLUJ UNIVERISTY, Rumania, any questioning of W.W.II history quickly evoked the official communist line that Nazi Germany had killed many millions of people in an aggressive war.

On a particular day I had an interesting experience at the University cafeteria. I was late for breakfast and as I sat down at a table a very slim male student sitting with a very fat female student stared at me. I responded with a smile. Upon this the young man

jumped out of his seat and cried out: "I don't like you!" I expressed silent astonishment and began my breakfast. Upon this the student jumped out of his seat and with finger pointed at me cried out again, "I don't like you. You're a Jew." He then ran out of the cafeteria. Later I was consoled by some of his friends who advised me that the student had been badly treated at his home in Gaza by Israeli police. No-one I met at CLUJ or in BUCHAREST mentioned or even knew that Thies Christophersen had published his AUSCHWITZ: TRUTH OR LIES.

* 1972 - in MUNICH during the Olympic Games, the Israeli sports team massacre fuelled memories of the Jewish-Nazi Holocaust. The 6:4 million deaths figure was part of any discussion after the massacre and much public sympathy flowed to the relatives of those killed at Munich. At DACHAU I viewed the alleged gas chamber, then at a bus stop I met an old lady who told me that no-one had ever been gassed by the Nazis. She claimed that Dachau had been re-built after the war and "many things aren't right there."

At TEL AVIV and JERUSALEM and elsewhere in Israel, I felt the official Holocaust line hanging in the air - especially among the older citizens. The young were too busy making sense of the present. At the Tel Aviv University I had a discussion with a number of people. One person who had just arrived in the country from New York, proposed a settlement to the Middle East conflict: "America in Israel and Russia in Egypt", he excitedly proclaimed, "will solve all problems." A young man born in Israel contradicted him. "We don't want outsiders to settle our disputes with the Arabs. We feel like them, we think like them, we speak like them. They are our brothers," he exclaimed. The New Yorker left the discussion in a huff. [I again predict that as soon as Israel has safe borders, the homicidal gas chamber story will fall by the wayside.]

* 1971 - on a visit to LENINGRAD - now St Petersburg - KIEV and MOSCOW, I heard little of the Jewish death figures but more of the Soviet Union's heavy losses during the war. Interestingly, there was no mention of the Jewish-Bolshevik slaughter of millions or Stalin's reign of terror. All the evil had come from Hitler and his Nazis - according to the official state ideology.

* 1970 - in VANCOUVER, Canada, on the beaches I found that talk centred around the worry of finding the money to finance drug habits. Similarly in SAN FRANCISCO no-one cared about anything that was a day old. It was the moment that mattered - but not for me!

* 1969 - at the University of AUCKLAND, New Zealand, a vague figure of 6:4 may have been about. It was more of an indefinite "millions" expressed in such emotional terms that any further rational thought became impossible.

* 1968 - in the South Island of New Zealand, at DUNEDIN, INVERCARGILL, etc. I found little interest in the Jewish death figures. It was commonly held that millions of people died during

the second world war. There was no great public interest in things specifically Jewish. No one I came across was [familiar] with Gerald Reitlinger's *THE FINAL SOLUTION*.

* 1967 - at Victoria University of WELLINGTON, New Zealand, some interest was found in discussing death figures. What was generally accepted as fact was that the Germans had been very cruel to the Jews during the second world war. "Many Jews had been killed by the Germans", was a claim I heard from Jews who had themselves come from Russia via China to New Zealand.

* 1966 - in SYDNEY, I gained the impression that very few people were interested in the specific Jewish component of the suffering caused by the second world war. In the clubs it was more of an anger directed at the Japanese for having caused suffering to Australian soldiers.

* 1963 - 65 while at the University of MELBOURNE, not once did I hear about the gassings of Jews. Surprisingly, not even as a member of the Jewish Club did I hear anyone discuss the 6:4 million deaths figure. That there were general war deaths and terrible [atrocities] committed during the war, in particular at the various concentration camps, was accepted as a given fact. Any accusations flowing from this fact and levelled at the Germans, was accepted by them. However, it was possible to reduce the guilt felt by pointing to atrocities perpetrated by the Allies. The uniqueness of the Jewish-Nazi Holocaust had not established itself within the public domain, as it has thirty years [later], in 1996.

And so, in spite of:

- a) the Adolf Eichman hanging in Jerusalem in 1962;
- b) the appearance of Paul Rassinier's *LE DRAME DES JUIFS EUROPEANS* in 1964;
- c) the Frankfurt Auschwitz Trial, which began on 3 April 1964, the actual 6:4 million deaths figure was not readily available within our community in Australia.

Perhaps we ought also to recall that Pope Paul VI visited Israel and the then divided city of Jerusalem in January 1964. Who still recalls that it was then 28 year-old King Hussain of Jordan who personally directed the Pope's Alitalia flight into Amman Airport? My concern with the Auschwitz death figure lies in the unwillingness of historians to grasp the nettle and come clean on this issue. It is a total cop-out now to blame the Soviet-Polish political bureaucracy for having held to the four million deaths figure for so long. Even the total number of six million Jewish deaths needs to be drastically revised. Why is this not being done by so-called reputable historians?

Australia's own Dr Stephen Wheatcroft claims that numbers don't matter when you talk about the homicidal gas chamber killings. He is wrong to make such statements because he thereby blocks enquiry on a very important topic: How many people died in so-called homicidal gas chambers? Some Revisionists, like Professors Butz and Faurisson state that no-one died in homicidal gas

chambers because the Germans did not operate such chemical slaughterhouses.

It would be ideal to have an open public discussion on this topic. Whether my contribution will advance the numbers problem is debatable. What I have done in the above Chronology is to bring my personal, subjective reasoning processes into play. Certainly for myself, I have clarified the issue. I have concluded that the Jewish deaths number is not six million - and we need to open the archives which have remained closed to so-called Revisionist historians. Why?

3. Your next detailed communication concerns itself with the Blueprints of Genocide. I have now viewed the material found at:

<http://www.nizkor.org/ftp.cgi/camps/auschwitz/documents/pressac/bau->

1.0932-detail.jpg

2.0932-commentary

3.2003-deller.jpg

4.2003-keller.detail.jpg

5.2003-erdgeschoss-detail.jpg

6.2003-commentary

I am familiar with the Pressac plans which I viewed at the University of Melbourne library with Associate, Mr Geoffrey Muirden, and at the University of Adelaide library with Associate, Mr David Brockschmidt.

We had no problem in concluding that these plans do not prove that the mortuaries were converted into homicidal gas chambers. I cannot accept your argument, Mr McCarthy, that at the architects' trial in Austria, the prosecution could not properly read these plans 'of genocide'. Plans speak for themselves - unless, of course, we wish to read into them a function which the architects never contemplated.

I am happy to say that Professor Robert-Jan van Pelt has also advised me that his book on Auschwitz, co-written with Deborah Dwork: 'Auschwitz: 1270 to the present', to be published in August 1996, has reproduced these blueprints.

Unfortunately, Mr McCarthy, these plans do not prove to me that a mortuary was turned into a homicidal gas chamber. What is visible on the plans should speak for itself. Pressac's commentary cannot prove that either. For example, statements such as: 'a chute was replaced by stairs' or 'the doors were changed from opening inward to outward, airtight doors with a peep-hole were installed', do not prove anything. So what, Mr McCarthy? Carlo Matogno claims that the exhaust system was renewed and a newer but less powerful system replaced the older more powerful exhaust system. It doesn't add up, and this is where I see Michael Shermer's convergence theory not offering convincing proof. I would rather approach this with Sir Karl Popper's principle of theory falsification rather than adopt Shermer's method because the latter's method leads to dogmatic-ideological structures. Why? Because a good dialectically-schooled mind can prove anything! Our search

becomes a word-game, a mental process which does not make contact with the real physical world. How many angels fit on a pin-head? was a favourite scholastic exercise designed to solve the universal problem - but it didn't prove whether angels actually existed in this world. We need to get back to some physical contact with the real world. That is why Dr Michael Shermer could not rise to the occasion afforded him by [Professor] Robert Faurisson's challenge: 'draw me or show me a homicidal gas chamber'. I believe that we must use the plans that you have of the mortuary - which you believe is proof of a conversion - then re-construct from them an actual model. Once we have this model constructed, Mr McCarthy, then we can use eyewitness testimony to reconstruct actual gassing exercises. This whole process would naturally be a simulation. As a guide we would use not THE LEUCHTER REPORT but rather the far more sophisticated RUDOLF REPORT.

See our website for material relating to Germar Rudolf: <http://www.adam.com.au/~fredadin/adins.html>

It would be of critical importance to have an international panel of scientists who would be prepared to go through with such an experiment. Mr McCarthy, I believe that THE RUDOLF REPORT actually proves the homicidal gassing story is false. But let me not be dogmatic about my belief either. I must confess that I am not an industrial chemist and I do not have the expertise to evaluate the technical data any experiment would generate. However, I am well versed enough in research matters to know when someone is fiddling the books about an experiment so that a desired outcome is achieved. I do not care whether the experiment will prove or disprove the homicidal gas chamber hypothesis. I want this fifty-year nonsense conflict of whether Germans did or did not kill people in homicidal gas chambers to come to an end - and it can be brought to an end. you have made a great contribution to the Holocaust debate. So has ADELAIDE INSTITUTE'S Mr David Brockschmidt when he challenged Skeptic's editor, Professor Michael Shermer's convergence theory. [Adelaide Institute newsletter No. 22] I believe that we are wasting valuable time by discussing the details.

Pressac wrote his book and he could not prove the existence of homicidal gas chambers. Faurisson wrote a condemnatory critique of Pressac's book and had to face court charges. Where is the logic in all this kind of behaviour, Mr McCarthy? Pressac is permitted to write books about the homicidal gas chamber allegations and when Faurisson refutes such claims, he is hauled before the French courts.

We must re-construct the actual homicidal gas chambers. In this way we are also responding to Professor Robert Faurisson's challenge: 'Show me or draw me a gas chamber'. Shermer flippantly rejected Faurisson's challenge.

Mr McCarthy, we are at a point in the Holocaust Debate where we can actually draw upon some physical evidence - the plans.

The next step is to use these plans, not merely talk about them, but rather let the plans talk to us. Any architectural plan will speak for itself - and I am anxious to hear what these plans have to say.

What bothers me about these plans is that they are still held in the Russian archives and have not been made available to the general public. No mainstream historian has grasped them and it was left to a non-historian, an industrial chemist, J.C. Pressac to publish them in a book which is not available in the general bookstores.

You have made these plans available by scanning them from Pressac's book into the net. For that you must be congratulated.

In conclusion, Mr McCarthy, let me say again that I wish we can begin to make these plans talk and not have people talk about them. I would like to see mainstream historians use them when they tackle the homicidal gas chamber debate rather than regurgitate worn arguments from those who support or reject the homicidal gas chamber story.

I am looking forward to August when the latest book about Auschwitz will be published by W.W. Norton, New York. It's called *AUSCHWITZ: 1270 TO THE PRESENT* and is written by Deborah Dwork and Professor Robert-Jan van Pelt. Let's hope it will be more definitive than Pressac's work. Above all, let's hope it will be available in the bookshops.

Sincerely Fredrick Toben

Appendix 34



Another view of Fredrick Töben's trial, 8 and 10 November 1999

This is how an Australian Embassy official, Ernie Edwards, viewed matters at the court hearing:

1. We attended the first day of Dr Toben's trial at Mannheim District Court on 8 November 1999.
2. Prior to the commencement of the trial, television crews from local German networks, NTV and RTL, together with a host of photographers and journalists from the local German Press, had assembled in the foyer of the court building. The Australian media was represented by Geoff Kitney of *The Sydney Morning Herald's* Berlin office. Kitney and his assistant interviewed both the public prosecutor, Klein, and A/N's lawyer, Bock. Kitney stated that he would not be returning to Mannheim for the rest of the trial.
3. Members of the general public were permitted to attend the proceedings and the number of people present during the day's sessions ranged between twenty and sixty.
4. Those involved in the trial were:
the principal judge, Kern, plus one other judge
Senior public prosecutor, Klein
Dr Toben and his lawyer, Dr Bock.
5. Proceedings commenced with prosecutor Klein reading the lengthy formal indictment against Dr Toben. Following Klein's statement, both Dr Toben and his lawyer were requested to respond to the charges. They both refused.
6. The case rolled out in the form of the judges publicly reading letters, statements, newsletters and examples of the contents of the Adelaide Institute's Internet website originated by Dr Toben, questioning the severity of the Holocaust. These readings continued through to the end of the day.
7. The trial continues on Wednesday, 10 November, and we will report at the end of the day's proceedings.

*

1. On 10 November we attended the second day of Dr Toben's trial at the Mannheim District Court.

2. The day's proceedings commenced quite dramatically with A/N requesting to make a statement. Judge Kern agreed. Toben commenced his statement expressing his disgust at the manner in which he was being treated by the media. He quoted a television report on NTV and report in the press on 9 November (*Frankfurter Rundschau*). He stated he believed he was being treated unfairly by the German judicial authorities and particularly by public prosecutor Klein with his racist attitude. Toben continued and lodged a note of no confidence against his lawyer, Bock, and stated he wished to engage another lawyer to review and implement a new defence strategy. He claimed he now realised that he needed more time to be able to present his case in a satisfactory manner.
3. The judge adjourned the session to deliberate and to decide on A/N's application. After a lengthy break the judges returned and Kern advised that Toben's application of no confidence in respect of his lawyer had been rejected.
4. The case proceeded with one witness, police inspector Mohr of Police State Security, being called. (Mohr had arrested Toben on 8 March 1999 and had conducted the investigation into the Adelaide Institute's operations.) Mohr detailed the arrest, his method of investigation and the results.
5. After lunch, public prosecutor Klein presented his summation for the prosecution based on the charges of incitement of the people in print, speech and on the Internet, which included Toben's public denial of the Holocaust. Klein described the importance and seriousness of such cases particularly with respect to German history and the German constitution. Such cases he said were unfortunately on the increase in Germany and Toben was one of those dangerous right wing, anti-constitutional extremists. Klein ended his statement recommending a prison sentence of two years and four months, not be suspended. The court adjourned to debate the verdict and the sentence.
6. The judges returned and delivered a verdict of guilty and imposed a sentence of 10 months' imprisonment. As A/N had served seven months already, the court was willing to accept bail of DM6000 (AUD5100) for the remainder of the sentence. The judges rejected the charge of utilising the Internet as a platform for Toben's ideas of revisionism. They did however accept the insulting nature of the material and this was taken into account in the verdict. The trial then ended.
7. We visited Toben in Mannheim prison on 11 November. His lawyer, Bock, was present for part of our visit. Bock stated that he and public prosecutor Klein were appealing against the severity and the lenience of the sentence respectively. Bock advised Toben that bail had been paid by an acquaintance. A/N is expected to be released from Mannheim prison during the afternoon of 11 November.

8. Toben was pleased with the outcome of the trial. He advised that his lawyer's fees, amounting to DM20,000 (AUD17,000), had been paid by friends in Australia. He intends to remain in Mannheim until early 2000 to finish writing a book. He thanked us for our attendance at the trial and for our consular assistance during the last eight months.

Appendix 35



The Australian, 15 November 1999

Holocaust revisionists locked in denial, Holocaust denier
Fredrick Toben was jailed in Germany last week.

Katherine Towers reports on the organisation he heads.

In one hand David Brockschmidt holds the medals of his German parents, who risked their lives to help Oskar Schindler save persecuted Jews from Nazis. In the other he clutches documents he says prove the Holocaust was an exaggeration and the mass extermination of Jews a "Zionist fantasy".

Mr Brockschmidt, tall and heavy built, with a thick accent, belongs to Australia's most notorious anti-Jewish organisation, the Adelaide Institute. Since the jailing [sic] in Germany last week of its director, Adelaide-based Holocaust revisionist Fredrick Toben, Mr Brockschmidt is a prominent figure in the Australian extreme right.

"The Germans were not the problem during the so-called Holocaust, the Jews were," he says in conversation pitted with references to "goyims", "gentiles" and Jewish religious teachings he claims condone paedophilia and sadistic killing of Christians.

The Jews didn't die from extermination, he says, but from typhoid, allied bombing, lack of nutrition and sporadic executions during uprisings.

Toben, this week sentenced to 10 months in Mannheim for the German "hate-crime" of defaming the dead and inciting racial hatred, has led Australia's Holocaust-deniers, and he could soon be home. Judge Klaus Kern told the amateur historian he could be released early if he posted 6000 deutschmarks (about \$5000) bail.

In sentencing, the judge said 55-year-old Toben had tried "to present the extermination of European Jewry in Nazi German death camps as having been invented by Jewish circles".

Toben told the court the trial amounted to the "state-orchestrated rape of me as a person".

His lawyer, Ludwig Bock, said he would appeal against the conviction in a higher court but he did not expect a ruling until after Toben's release. "He (the judge) was of the opinion that the trial...had to be a warning to other people not to give information of the same kind," Dr Bock said.

Mr Brockschmidt and fellow Australian Institute members have vowed to raised funds to release Toben, whom they claim was a political prisoner and victim of a kangaroo court.

Mr Brockschmidt met Toben five years ago at the premier of the critically acclaimed Steven Spielberg film of Tom Keneally's *Schindler's Ark*. Toben was handing out a one-page flier headed 'The Lie of the Auschwitz Homicidal Gas Chambers'. Mr Brockschmidt was there because he claimed the film was a lie.

Together they have expanded the Adelaide Institute, run from Toben's home in the upmarket Adelaide suburb of Burnside, to an organisation with 250 members and a worldwide following.

The material is peddled through the institute's Web site and includes claims that Jews fabricated the Holocaust after the war to gain sympathy for Israel. The Web site alleges Jews were responsible for a Russian Holocaust, financed by the Nazis and that Jewish prisoners in Auschwitz were well treated, with a swimming pool, brothel, hospital, theatre and post office.

It claims deadly Zyklon B gas used to exterminate millions of Jews was only for delousing mattresses and clothes. The Nazi "Final Solution" involved deportation of Jews, not extermination, it says.

B'nai B'rith Anti-Defamation Commission executive director Danny Ben-Moshe says the Adelaide Institute is just another front for anti-Semitism.

He says Toben's arrest in Germany was a stunt and an attempt to "turn himself into Australia's David Irving", the controversial British Holocaust revisionist.

Mr Ben-Moshe says Toben and associates are not only anti-Semitic but "anti-Aboriginal, anti-multicultural and white supremacists".

"The German law recognises that Holocaust denial is clearly a form of racism and anti-Semitism," he said. "It reaffirms the fact that the Holocaust denial activity of individuals such as Fredrick Toben is part and parcel of a broader anti-Semitic agenda, which seeks to rehabilitate the Nazi ideology."

Appendix 36



E-mail to Geoffrey Muirden, 16 November 1999

Get Fred Out!

Sirs

I understand Fred is staying in Germany to appeal his conviction. This is typical of him a combative character who will not shirk from a fight.

I knew Fred in High School nearly 40 years ago. He was like that then.

Please some one, tell him he won't beat the German 'justice' system. He's up against a new Gestapo or KGB.

There is no justice in Germany. He runs the risk of being seriously imprisoned, this time for keeps, and may come out (if he does at all) a broken man.

His zealous crusade for the truth is a danger to the promulgators of the Holocaust swindle. There is too much money involved for them to run the risk of having someone like Fred running around, babbling on and on about inconvenient facts. Might wake up a few too many sheep.

The promulgators of the swindle appear to have their hands firmly on the levers of power throughout Europe.

They'd KILL Fred if they could do it quietly. If he expects justice from that lot, he's madder than he was as a schoolboy.

For Christ's sake, someone tell him to come home!

Bernard Busch
Queensland

Appendix 37



Phillip Adams on 'Late Night Live' on ABC Radio National, 17 November 1999

Holocaust Denial

Summary:

In a German court last week the Director of the Adelaide Institute, Fredrick Toben, was found guilty of the crime of Holocaust Denial and in Germany that's an offence which carries a maximum penalty of five years gaol. Mr. Toben was convicted under the Auschwitz Law. This discussion looks at the Auschwitz Law, the international phenomenon of Holocaust Denial and how the internet has changed the influence of holocaust deniers and their ability to disseminate their brand of historical revisionism.

Guests on this program:

Professor Konrad Kweit

Deputy Director of the Centre for Comparative Genocide Studies at Macquarie University; formerly chief historian at the War Crimes Tribunal hunting Nazi's in Australia

<http://www.abc.net.au/rn/talks/lnl/stories/>

Barbara Distel

Director of the Dachau Concentration Camp Memorial

<http://www.abc.net.au/rn/talks/lnl/stories/>

Musical Items:

Tk 1 Reading composed and performed by transworldnoise

Duration: 2 mins 33 secs

CD Title: transworldnoise WUN TWN003

Artist: transworldnoise

Composer: transworldnoise

Label/CD No: TWN003 <http://www.abc.net.au/rn/talks/lnl/stories/>

Appendix 38



Tehran Times, 5 December 1999

Germans Strangers in Their Own Country *Tehran Times* City Desk.

Professor Fredrick Toben said, "The main reason for my arrest was the investigation I conducted on the killing of the Jews during the first war."

He made the statement in a televised interview organized by the overseas service of Islam Republic of Iran Broadcasting.

The Australian researcher had been imprisoned in Germany for seven months on charges of publishing and revealing information about World War II on the Internet.

Professor Toben said his investigations indicate that the stories brewed with regard to gas chambers in Auschwitz camp have been invented.

His research has been carried out in Adelaide, Australia, and its results have been reflected in the entire world through the Internet.

In the course of his studies, he has come across different contradictions regarding the gas chambers, the type of the chemicals used and the number of dead in the camp, and this has resulted in his arrest.

Professor Toben said the Zionist regime was involved in his arrest and added that when he was arrested in Germany, a local radio felicitated the prosecutor who had paved the ground for his arrest. The source dispatching the congratulation was from Israel, the professor added.

He said in Germany no individual is authorized to present positive materials regarding the events in the years 1939-1945.

The professor further said that in Australia criticizing the Zionists is in no way permissible and if anyone does so, he will be branded as anti-Jewish, extremist rightist, racist and Nazi.

Asked why he was arrested while his investigations have been in the interest of the German government, the professor said a German is a stranger in his country.

In Germany, it is the Jews who have unlimited freedom, but if anyone voices something against the interests or desire of the Jews, he will immediately be put to trial by the government, Professor Fredrick Toben said.

Appendix 39



Kayhan International, 6 December 1999

In the name of the Most High – Viewpoint
Myth of the Holocaust
By Abu Hashem

‘The Germans are strangers in their own country.’ The expression made by Dr Fredrick Toben during his televised press conference on the external service of the Iranian Television, has left an indelible impression on the minds of the viewers.

The Australian historian of German origin who is known for his authoritative research on the myth of the holocaust, recounted the unjust treatment meted out to him in the ‘Fatherland’.

He was jailed and he was fined for having exposed the fabrication of the gas chambers where Zionist propaganda says six million Jews perished, when the truth is that the whole Jewish population in Europe did not come anywhere near to this hypothetical figure before the start of the Second World War.

Of course, Adolf Hitler was a criminal whose maniacal policy of expansionism devastated Europe and killed scores of millions of Christians, but why the distortion of facts to magnify the killings of a few thousand Jews into the preposterous figure of 6 million!

This is the recurring question, which has unfortunately held the German nation hostage for the past fifty years. Analysts point out that with the breaking of the Berlin Wall a decade ago, Russian control over the eastern part of Germany came to an end, but American or more properly Zionist control, has greatly increased.

In the Christian West, one can insult Prophet Jesus (PBUH) and the fundamentals of the Church and can get away with it, but it is a crime to question the holocaust. Any factual research on the number of Jews sent to gas chambers or supposed to have perished in concentration camps, brings down the wrath of Zion.

This has undoubtedly begun to hurt German national pride. The humiliating terms of the Treaty of Versailles after the end of the First World War, saw the rise of Nazis in Germany and brought about a greater disaster in the shape of the Second World War.

Today, over half a century later, if the Zionist stranglehold is allowed to continue, it would forebode a doomsday scenario for Europe. German national conscience is not the official pro-

Zionist stance of the government, and is beginning to breed extreme hatred of the Jews among the public.

However, a healthier trend, as could be seen by the remarks of Dr Toben, is the growth of revisionists, who could prevent Europe and the west from tilting to the other extreme by their courageous research and highlighting of facts of the Second World War.

Therefore, what is needed is not just a thorough investigation of the myth of the holocaust, but a proper assessment of the crimes of the Zionist entity since the past fifty-one years of its illegal existence on the Islamic land of Palestine.

Appendix 40



Kayhan International, 9 December 1999

Distortion of History, Kayhan International Cultural Desk

Intellectuals of the world irrespective of their religious and political beliefs and leanings should not remain indifferent to acts of distortion of history in general and the contemporary one in particular, said Dr Fredrick Toben who visited Kayhan International on Monday, accompanied by Islamic Republic Broadcasting (IRIB) anchors Morteza Jabbari of the English channel and Muhammad Reza Kazemi of the German channel.

Dr Toben, of German origin, lives in Australia and is the director of Adelaide Institute, a think tank that focuses on historical taboo-topics such as the holocaust. The institute also pays attention to other matters such as questioning the HIV/AIDS hypothesis which it believes has failed to explain the AIDS phenomenon.

Dr Toben was interested to meet this daily's writers, particularly Abu Hashem who had written in the Monday issue's viewpoint column on Holocaust after watching Dr Toben's televised conference on the external service of the Iranian Television.

The Australian historian of German origin has carried out an extensive study on the myth of the holocaust and has come to the conclusion that the event is highly distorted.

Toben does not entertain any anti-Semitic sentiments nor does he feel any sympathy towards Adolf Hitler or Nazism.

Dr Toben talked about a book by Dr F Piper a Polish Jew and director of Auschwitz Museum, published in 1993 in which Piper writes that the figure of one tone and a half million Jews who were gassed at Auschwitz can not be properly verified because 900,000 of the victims are not registered by German authorities.

Piper says that the similar points were raised by certain German scholars as well. However most of the researchers were punished by German courts.

Udo Walendy, a historian and writer/publisher was imprisoned for 20 months because he questioned the gassing story and noted falsification of records and relevant photographs.

The 72-year old historian was blamed by a German judge for committing crimes against the Jewish people. Walendy's publishing house was closed by the judge's orders. Walendy was

condemned for attempting to clear the German nation of the holocaust stigma. He came out of prison in May, 1999.

Ernst Jaeger, a 75-year old retired man received a prison sentence of six months because he denies an "established historical fact": that the six million Jews were sent to gas chambers.

Very ridiculously the judge said that the sentence does not violate the basic rights of the individual (Ernst Jaeger) and it does not deprive him of his freedom of speech.

The name of the judge is Redlin. He approved the above sentence at the magistrate court of Krefeld.

Another German who is serving an 18-month sentence in Munster Prison is Erhard Kemper, 75, a journalist. He was put behind bars in May 1999 for denying the holocaust story.

Dr Fredrick Toben too was arrested when he visited his fatherland, Germany, seven months ago because of his views on the holocaust myth. As a matter of fact the picture we have printed above is a photograph of his identification card as a prisoner. He served a 7-month sentence in a German prison.

Toben, after carrying out on the spot research at Auschwitz and devoting time on a profound study of the subject strongly believes that the holocaust event has been highly distorted. This is something criminal. Toben believes that in Germany mental rape is going on on a wide scale.

This type of crime is destructive not only for the people of Germany but for all people of the world. There is no need for the Germans to bow down under the pressure of guilt and continue paying extortionately to the Zionists. People of the world should not be deprived of their right to know the truth.

In support of his views on holocaust Toben quoted passages from a book by Dr Joel Hayward, of Jewish origin, historian at Massey University, Palmerston North, New Zealand. The book, a thesis written by Hayward for his MA degree was published in 1993.

Hayward, in his thesis, writes on 'Historical Revisionism', and concludes that there were no gassings at all by the Nazis during the World War II. He strongly believes that the Jews were expelled from German territories and not exterminated.

No one has so far contradicted his professional opinion.

Dr Hayward should be careful not to pay a visit to Germany.

Appendix 41



Newspaper reports, 16 December 1999

From *The Advertiser*:

Fight was worth stay in prison
By Sherrill Nixon

Holocaust revisionist Fredrick Toben returned to Australia yesterday, claiming victory in his fight for freedom of speech despite being jailed for seven months in Germany.

The German-born director of the Adelaide Institute, who kissed the floor of the Adelaide International Airport on his arrival, said his small organisation was flourishing.

And, he would consider going on a national speaking tour to argue against federal racial hatred and Internet censorship laws that he claimed, would introduce German-style clamps on freedom of speech here.

Dr Toben, whose critics say he is trying to rehabilitate Nazism, said it had been worthwhile to spend seven months in Mannheim prison awaiting a trial on charges of incitement and insulting the memory of the dead.

The charges were laid after he challenged the severity of the Holocaust through letters and the Adelaide Institute website.

Last month, he was found guilty by a judge and sentenced to 10 months' jail - including time already served - but was released when a German supporter posted \$5000 bail.

"It's been worth it. They're lost the plot, we have won the argument," Dr Toben said.

"They had to arrest me and silence me. They talk about us and not with us. If it's a battle - and I think it is - it's a massive battle we have won."

Dr Toben said "they" referred to Zionists and people who support the "story" of the Holocaust and the mass gassing of Jews in concentration camps.

In what he describes as a professional opinion, the Adelaide Institute website says: "We proudly proclaim that to date there is no evidence that millions of people were killed in homicidal gas chambers."

Dr Toben plans to return to Germany next year for the prosecutor's appeal brought on two aspects of the case – the leniency of the sentence and the judges' decision to punish Dr Toben only for the material in his letters, not on the Internet.

But he said the freedom of speech issue must also be raised here because Internet censorship and racial vilification laws would mean history would be judged in courts of law.

The institute faced an inquiry last year in the Human Rights and Equal Opportunity Commission after a complaint from the Executive Council of Australian Jewry about its website.

* * *

From *The Australian*:

Jailed historian revises Nazi denial.
By Matthew Spender

After seven months in a German jail, revisionist historian Fredrick Toben flew home to Adelaide yesterday and indicated he may stop pushing his claim that the Holocaust was a myth.

The director of the Adelaide Institute kissed the floor of the Adelaide International Airport and said he was weary from his stint in jail.

Dr Toben, 55, said he would not continue to push his views on the Holocaust if it became a criminal offence in Australia, as he did not want to be dragged through the courts again.

Federal legislation, which comes into effect in January, will establish a process to stop material that breaches anti-discrimination laws appearing on Australian Web sites.

"What we have to do now is emphasise the freedom of speech issue for Australia because the bill is going to terminate us, most likely," Dr Toben said.

The Human Rights and Equal Opportunity Commission is hearing a complaint by the Executive Council of Australian Jewry that material on the Adelaide Institute's Web site was in breach of the 1995 Racial Hatred Act.

Dr Toben was sentenced by a German court last month to 10 months' jail for inciting racial hatred and defaming the memory of people murdered in Nazi death camps.

The charges were laid after he challenged the severity of the Holocaust through letters and the Adelaide Institute Web site.

He was freed after German sympathisers raised \$5000 bail, but he had already served seven months on remand.

But Dr Toben said the experience verified his belief that the Holocaust was a hoax.

“It’s been worth it because the Zionists have lost the plot. We have won the argument,” Dr Toben said. “If it’s a battle, and I think it is, it’s a massive battle. We have won the battle.”

The historian, who is considering a national speaking tour, will return to Germany to face an appeal in the new year.

Appendix 42



A telling editorial in *The Wimmera Mail-Times*, 29 December 1999

Some lessons for our prisons

Dr Fredrick Toben's presence in the pages of the *Wimmera Mail-Times* has sparked debate, some of it quite vigorous, in the past nine months.

Some have argued that his links with the region are quite tenuous and that although he still has family in the region and is a frequent visitor, his newsworthiness is diminished because he is to all intents and purposes no longer a local.

Others claim he is a crackpot and that his mission of challenging the severity of the Jewish holocaust in World War Two is sufficient of itself to preclude him from the *Mail-Times* pages.

There is a minority that agrees with his view of history and others who although disagreeing, like Voltaire, will fight to the death to ensure that he and other Australians retain their precious right to free speech.

Whether or not Dr Toben was reckless in going to Germany to challenge, however discreetly that country's law on defaming the dead, the point is he has spent seven months behind bars as a political prisoner in a foreign country. And he is still on the Wimmera electoral roll. On a recent visit to the *Mail-Times* he reflected on what has been a unique and eventful year for him.

He said he had been overwhelmed with the support he received from Wimmera people who wrote to him while he was on remand in Mannheim prison. He said the Australian system could learn something from its German counterpart.

"When somebody is arrested there they are placed in a cell with other prisoners for quite some time," Dr Toben said. "This way the authorities can assess if the person is at risk of injuring themselves. Then, if they are of sound mind and having been socialised with the other prisoners, they are put in a cell of their own.

"If Australian authorities did the same thing I am sure it would reduce the number of suicides in prison."

Dr Toben, who has greyed considerably since leaving Australian shores early in the year, said he resolved quite early on in his

incarceration that he would harbour no bitterness towards German authorities.

“I protested my innocence then and now but for my own mental well being I knew that I had to accept my fate. That meant that I accepted that although I was innocent of what they had charged me with, there was plenty of other things I had been guilty of in my 55 years. I looked on my time there as punishment for my sins.”

The former school teacher obviously enjoyed his role as prisoner representative for 250 inmates, which entailed him listening to grievances and negotiating with authorities over them.

“It gets quite intense being cooped for that long with other people – you get on each other’s nerves, but there was no violence – sexual or otherwise.”

He learnt guitar there and was amazed to discover that prisoners could go shopping in jail. His critics claim that he is just trying to rehabilitate Nazism and is motivated by hatred.

“I don’t hate anymore – it’s just a waste of energy. I am only interested in the truth,” he said with a grin.

Index



This index was compiled primarily to record the people and the matters referred to in the diary of Fredrick Töben, the commentaries in the Forewords, Preface and the Afterwords, and the captions accompanying the illustrations. The page in italics are references to the illustrations and their captions. As this book is a personal record of Fredrick Töben's experiences, the name and subject of Töben in the diary section of the book was rarely indexed. Similarly, references to Mannheim Prison – the principal location of the activities described – were not, in general, indexed: some material is indexed under 'Mannheim' and 'prison life'. (Note: much of the diary section contains incidental comments regarding the regime of the prison and the prisoners' lifestyle.) The appendices were not indexed for their content as they are referred to in the text and a list of the appendices is given on page 365. Other material not indexed includes that from secondary sources (such as books, articles, Internet websites, television programs and newspapers).

Note that the spelling, punctuation and grammar of the material in the appendices has been retained as in the original as this material has been cited as evidence from newspapers, websites and so on.

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